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Extension of Japanese Military Control in the Maritime Province and Sakhalin

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Resumption of Trade with Soviet Russia

PROPOSAL BY THE ALLIED GOVERNMENTS TO REOPEN TRADE THROUGH THE RUSSIAN COOPERATIVE SOCIETIES—NEGOTIATIONS IN LONDON—REMOVAL OF AMERICAN RESTRICTIONS ON COMMUNICATION WITH SOVIET RUSSIA, JULY 7, 1920—REMOVAL OF AMERICAN RESTRICTIONS ON CREDIT AND EXCHANGE TRANSACTIONS WITH SOVIET RUSSIA, DECEMBER 20—INSTRUCTIONS BY THE UNITED STATES TREASURY TO THE MINTS AND ASSAY OFFICES TO REJECT GOLD BEARING EVIDENCE OF SOVIET ORIGIN

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SALVADOR

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TURKEY

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Maintenance of American Rights under the Capitulations

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Aug. 9 (937)	*From the Commissioner at Berlin* (*tel.*) From Coffin: Director of Deutsche Bank's efforts to hold matters *in statu quo* for U. S. offer in face of imminent signature of Turkish peace treaty.	770
Nov. 22 (1868)	*To the Commissioner at Berlin* (*tel.*) For Coffin: Department favorable to American participation, but declining to guarantee soundness of enterprise or validity of titles.	771
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TURKEY

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Dec. 26	*The President of the Council of the League of Nations to President Wilson (tel.)* Telegram from British Foreign Minister (text printed) recommending that President Wilson send his instructions regarding mediation with Kemalists to U. S. High Commissioner, Constantinople, who will concert with colleagues.	809

JAPAN[1]

ALLEGED DISCRIMINATIONS AGAINST JAPANESE NATIONALS IN THE UNITED STATES—CONVERSATIONS IN WASHINGTON REGARDING A POSSIBLE MODIFICATION OF THE "GENTLEMEN'S AGREEMENT"—PASSAGE OF THE CALIFORNIA LAND LAW, NOVEMBER 2, 1920

811.5294/310

The Chief of the Division of Far Eastern Affairs, Department of State (MacMurray) to the Ambassador in Japan (Morris), temporarily in the United States

MEMORANDUM

[WASHINGTON,] *June 16, 1920.*

In accordance with your request of yesterday, I took occasion when consulting with the Secretary about the California question, last night, to inquire of him when and how he had presented to the Cabinet the question raised by the California Initiative Petition. He said that he brought up the subject just three weeks ago (May 25th). In reply to a further question, he said that he had presented the matter on the basis of a memorandum which I had prepared by his direction at that time.

This evidently refers to the attached memorandum epitomizing the essential points of the initiative proposal.

MACM[URRAY]

[Enclosure]

Memorandum by the Chief of the Division of Far Eastern Affairs, Department of State (MacMurray)

[WASHINGTON, *undated.*]

MR. SECRETARY: The initiative proposal now circulating in California, in the latest draft available to the Department (that of May 14, 1920) contemplates two fundamental purposes:—

(1) To prevent the holding of agricultural lands by aliens not eligible to citizenship; and
(2) To prevent evasions of the existing restrictions upon their right of holding lands, through the employment of guardians or trustees or holding companies.

[1] See also subjects under China and Russia.

Both of these objects are known to be directed against the Japanese; but in both cases the measure is so framed as to avoid any specific discrimination on the grounds of race or nationality, by making use of the distinction established by fundamental Federal law between those who are and those who are not eligible to American citizenship, and of the literal wording of our Treaty of 1911 with Japan, which does not mention the right of holding land for other than residential and commercial purposes.

The measure proposes to exclude Japanese from even the present right to hold land under three year leases, by providing (Section 2) that aliens not eligible to citizenship " may acquire, possess, enjoy and transfer real property, or any interest therein, in this State, in the manner and to the extent and for the purpose prescribed by any treaty now existing between the Government of the United States and the nation or country of which such alien is a citizen or subject, and not otherwise." In its note to the Japanese Ambassador of July 16, 1913,[4] the Department stated unequivocally that the Treaty of 1911 " does not grant the right to lease agricultural lands at all."

Sections three and four of the proposed measure are aimed against the practice of appointing, as guardians or trustees for American born minor children, natural or legal persons who are Japanese or which are constituted with a majority interest in favor of Japanese.

The other provisions of the measure involve merely matters of detail in carrying out these two provisions.

MacM[urray]

811.5294/57

The Governor of California (Stephens) to the Secretary of State

Sacramento, *June 19, 1920.*
[Received June 30.]

Sir: I have the honor to transmit herewith the official report prepared and filed with me by the State Board of Control of California on the subject of Oriental immigration, population and land ownership.[5]

The subject is one of such transcendent importance to the people of California, and is so potential with future difficulties between the United States of America and the Oriental Countries, that I

[4] *Foreign Relations*, 1913, p. 641.
[5] *California and the Oriental*, by State Board of Control of California (California State Printing Office, Sacramento, 1920); enclosure not printed.

deem it my duty in forwarding the report to outline in brief the history of the development of the Japanese problem in California, together with the legislation already enacted and that now pending. In doing so I trust I may be able clearly to lay before you the necessity of action by our Federal Government in the attainment of a permanent solution of this matter.

While the report deals with the problem as an entire Asiatic one, the present acute situation is occasioned specifically by the increase in population and land ownership of the Japanese. Forty years ago the California race problem was essentially a Chinese problem. At that time our Japanese population was negligible. The Chinese immigrants, however, were arriving in such numbers that the people of the entire Pacific slope became alarmed at a threatened inundation of our white civilization by this Oriental influx.

Popular feeling developed to such a pitch that many unfortunate incidents occurred of grave wrong done to individual Chinese as the result of mob and other illegal violence. Our country became awakened at the growing danger, and Congress passed the Chinese Exclusion Act providing for the exclusion of all Chinese laborers and the registration of all Chinese at that time lawfully within the country. The statute was sufficiently comprehensive effectively to exclude further Chinese immigration and to make difficult, if not impossible, the evasion of the spirit of the Act. As a result of this enactment there has been a substantial reduction in the Chinese population of California.

In the meantime, however, we have been developing an even more serious problem by reason of the influx to our shores of Japanese labor. Twenty years ago our Japanese population was nominal. Ten years ago the census reports of the United States government showed a Japanese population in California of 41,356. A survey and computation recently made by the Board of Control of the State of California indicates that at the present time this Japanese population has been more than doubled—it amounting now to 87,279. The best figures available indicate that our Japanese population comprises between 80 and 85 per cent of the total Japanese population of continental United States.

The Japanese in our midst have indicated a strong trend to land ownership and land control, and by their unquestioned industry and application, and by standards and methods that are widely separated from our occidental standards and methods, both in connection with hours of labor and standards of living, have gradually developed to a control of many of our important agricultural industries. Indeed, at the present time they operate 458,056 acres of the very best lands in California. The increase in acreage control within

the last decade, according to these official figures has been 412.9 per cent. In productive values—that is to say, in the market value of crops produced by them—our figures show that as against $6,235,856 worth of produce marketed in 1909, the increase has been to $67,145,730—approximately tenfold.

More significant than these figures, however, is the demonstrated fact that within the last ten years Japanese agricultural labor has developed to such a degree that at the present time between 80 and 90 percent of most of our vegetable and berry products are those of the Japanese farms. Approximately 80 per cent of the tomato crop of the State is produced by Japanese; from 80 to 100 per cent of the spinach crop; a greater part of our potato and asparagus crops, and so on. So that it is apparent without much more effective restrictions that in a very short time, historically speaking, the Japanese population within our midst will represent a considerable portion of our entire population, and the Japanese control over certain essential food products will be an absolute one.

Aside from the economic aspect, however, and even more important than this, is the social problem inevitably developing to an acute degree. The figures contained in the report will not be understood in their true significance without the supplementary explanation that these land holdings and land products are in well-defined locations within the State and not spread broadcast. The Japanese with his strong social race instinct, acquires his piece of land and, within an incredibly short period of time, large adjoining holdings are occupied by people of his own race. The result is that in many portions of our State we have large colonies of Japanese, the population in many places even exceeding the white population.

These Japanese, by very reason of their use of economic standards impossible to our white ideals—that is to say, the employment of their wives and their very children in the arduous toil of the soil—are proving crushing competitors to our white rural populations. The fecundity of the Japanese race far exceeds that of any other people that we have in our midst. They send their children for short periods of time to our white schools, and in many of the county schools of our State the spectacle is presented of having a few white children acquiring their education in classrooms crowded with Japanese. The deep-seated and often outspoken resentment of our white mothers at this situation can only be appreciated by those people who have struggled with similar problems.

It is with great pride that I am able to state that the people of California have borne this situation and seen its developing menace with a patience and self-restraint beyond all praise. California is proud to proclaim to the nation that despite this social situation her

people have been guilty of no excesses and no indignities upon the Japanese within our borders. No outrage, no violence, no insult and no ignominy have been offered to the Japanese people within California.

It is also proper to state that I believe I speak the feelings of our people when I express to you a full recognition of the many admirable qualities of the Japanese people. We assume no arrogant superiority of race or culture over them. Their art, their literature, their philosophy, and, in recent years, their scientific attainments have gained for them a respect from the white peoples in which we, who know them so well, fully share. We have learned to admire the brilliancy of their art and the genius that these people display. We respect that deep philosophy which flows so placidly out of that wonderful past of theirs and which has come down through ages that antedate our Christian era. We join with the entire civilized world in our admiration of the tremendous strides which the Japanese nation itself has made in the last two generations unparalleled as its career is in the history of nations. We respect the right of the Japanese to their true development and to the attainment of their destiny.

All these matters I am at pains to emphasize so as to convince you, and, through you the people of our United States, that this problem of ours is not an insignificant or temporary one. It is not factious. It has no origin in narrow race prejudice or rancor or hostility. It is, however, a solemn problem affecting our entire Occidental civilization. It has nothing to do with any pretensions of race superiority, but has vitally to do with race dissimilarity and unassimilability.

But with all this the people of California are determined to repress a developing Japanese community within our midst. They are determined to exhaust every power in their keeping to maintain this State for its own people. This determination is based fundamentally upon the ethnological impossibility of assimilating the Japanese people and the consequential alternative of increasing a population whose very race isolation must be fraught with the gravest consequences.

California stands as an outpost on the western edge of occidental civilization. Her people are the sons or the followers of the Argonauts who wended their way westward over the plains of the middle west, the Rocky Mountains and the desert; and here they set up their homes and planted their flags; and here, without themselves recognizing it at the time, they took the farthest westward step that the white man can take. From our shores roll the waters of the Pacific. From our coast the mind's eye takes its gaze and sees on

the other shores of that great ocean the teeming millions of the Orient, with its institutions running their roots into the most venerable antiquity, its own inherited philosophy and standards of life, its own peculiar races and colors.

The Pacific, we feel, is shortly to become one of the most important highways of commerce on this earth. Amity and concord and that interchange of material goods as well as ideas, which such facilities offer, will inevitably take place to the benefit of both continents. But that our white race will readily intermix with the yellow strains of Asia, and that out of this inter-relationship shall be born a new composite human being is manifestly impossible. Singularly enough, while historical facts are not always susceptible of scientific demonstration, it is true, if our study serves us, that the blood fusion of the Occident and the Orient has nowhere ever successfully taken place. Whether the cause be but a social sense of repugnance, or whether it be insuperable scientific hindrances, is utterly beside the question.

We stand today at this point of western contact with the Orient, just as the Greeks who settled in Asia Minor three thousand years ago stood at its eastern point. And while Mesopotamia and the country to the east thereof were the highways of intercourse between the Orient of that time and the Occident of that era, and while, historically, there was much of contact and conflict between the types representing the two standards of civilization, history does not show any material fusion of either blood or idea between these peoples.

California harbors no animosity against the Japanese people or their nation. California, however, does not wish the Japanese people to settle within her borders and to develop a Japanese population within her midst. California views with alarm the rapid growth of these people within the last decade in population as well as in land control, and foresees in the not distant future the gravest menace of serious conflict if this development is not immediately and effectively checked. Without disparaging these people of just sensibilities, we cannot look for intermarriage or that social interrelationship which must exist between the citizenry of a contented community.

It may be an exquisite refinement, but we cannot feel contented at our children imbibing their first rudiments of education from the lips of the public school teacher in class-rooms crowded with other children of a different race. They do not and will not associate in that relationship prevalent elsewhere in the public schools of this country. We recognize that this attitude is too deep-seated to remove. And we recognize that with this attitude goes the necessity of Japanese isolation and that inevitable feeling which socially a proscribed race always develops.

California wants peace. But California wants to retain this commonwealth for her own peoples where they may grow up and develop their own ideals. We are confronted at this time by the problems that have arisen in the Hawaiian Islands, where the Japanese have now developed to an extent which gives them a preponderance, I am informed, in the affairs of that territory. That mistake of Hawaii must not, and California is determined shall not, be repeated here.

This communication and the report accompanying it are prompted by a situation prevailing in California today which we hope may lead to diplomatic correspondence on your part with the Empire of Japan. In 1913 the Legislature of this State passed a statute forbidding the ownership of agricultural lands by Japanese and limiting their tenure to three year leaseholds. It was the hope at that time that the enactment of this statute might put a stop to the encroachments of the Japanese agriculturist. This legislation followed some years after a proposed bill by the Legislature providing for separate schools for Japanese students.

At the time of the school legislation, however, the appeal on behalf of the United States Government to refrain from enacting such a drastic law was very urgent and was supported by an assurance on the part of the Federal Government that necessary arrangements would be made with Japan stopping the further immigration of Japanese labor. These negotiations led to the so-called "Gentlemen's Agreement." There can be no doubt that it was the intent of our Government, by this agreement, to prevent the further immigration of Japanese laborers. Unfortunately, however, the hoped for results have not been attained.

Without imputing to the Japanese Government any direct knowledge on the subject, the statistics clearly show a decided increase in Japanese population since the execution of the so-called "Gentlemen's Agreement". Skillful evasions have been resorted to in various manners. "Picture brides" have been brought in and upon their arrival set to work on the farm lands; relatives of those already here were brought in under the guise of dependents; large numbers have come illegally across the Mexican border. As to the latter, of course, it is in the nature of things impossible to give official statistics, as those who came in this manner came illicitly. The realization of this lack of entire good faith on the part of the Japanese led the California Legislature in 1913 to pass the existing law, despite the expostulation of a distinguished predecessor of yours in your present office, who made an official visit to the Capitol of this State at that time.

Again, I deplore the necessity of stating that the spirit of the Anti-Alien Land Legislation passed in 1913 has been evaded and broken

through the resort to certain legal subterfuges which have almost frustrated the very purpose of the enactment. These evasions have been accomplished through the medium of corporations, trustee stock ownership, trustee land ownership, and the device of having native infant children of Japanese parentage made grantees of agricultural lands controlled and operated exclusively by their non-eligible parents.

At the last session of the Legislature, held in the Spring of 1919, further legislation against the Japanese was proposed. At that time action was deferred mainly upon the advice of Secretary of State Lansing, who cabled from Versailles explaining to our Legislature that in view of the Peace Conference, then in session, at which Japan was a participant, any Japanese legislation would be unfortunate and strongly implying that it might seriously affect the result of the Peace Conference. Again, California patriotically acceded for the good of the whole country.

I took occasion at the same time to urge the Legislature of California to defer drastic action until the State had acquired reliable information on the subject through the medium of one of its important commissions, the State Board of Control. My views, as expressed then, and from which I have had no occasion to recede, were that the grave problem could not be effectually dealt with except through the medium of the Federal Government, and action by the Federal Government could only be secured by the presentation of reliable information.

I told the people of this State that upon the compilation of the necessary information I should deem it my duty to urge such action both by the State and Federal Government as the situation might require and the facts warrant. The accompanying report is the result of a painstaking search for the facts. In its cold, statistical way, it tells graphically our story. The human side is untouched. With this information officially presented to the people of our State, we must seek relief.

In dealing with this problem, we cannot very well take precedent out of the experience of the nation with the previous race question which so bitterly aroused all the sectional feelings of our people and led to the Civil War. There is one vital difference. The Japanese, be it said to their credit, are not of servile or docile stock. Proud of their traditions and history, exultant as they justly are at the extraordinary career of their country, they brook no suggestion of any dominant or superior race. Virile, progressive and aggressive, they have all the race consciousness which is inseparable from race quality.

And it is just because they possess these attributes in such marked degree and feel more keenly the social and race barriers which our people instinctively raise against them that they are driven to that race isolation and, I fear ultimately will reach that race resentment, which portend danger to the peace of our State in the future. In extending to them the just credit which is theirs, the thought does not occur to our people that because the Japanese come from a puissant nation, whose achievements on the field have brought it renown, that therefore our attitude should be moulded by pusillanimity or temporary expediency. We have faith in the willingness and power of our common country to protect its every part from foreign danger.

We also have faith, however, in the intelligence of the Japanese Empire itself to understand our attitude and recognize that it is prompted solely by that inherent desire of every race and type of people to preserve itself. We wish to impress most earnestly upon them the entire absence of every feeling that can betoken ill-will or be in the slightest degree disparaging. But with the same earnestness we insist, after this careful survey which we have caused to be made, that California is now amply justified in taking every step that will properly reduce this problem, and where the powers of the State shall fall short must appeal to the United States Government for that additional action necessary finally to solve this vexing problem.

At the present time an initiative measure is being circulated which in all probability will find a place upon our ballot at this coming election. The initiative measure is a land law even more stringent than the present one in that it not only forbids ownership, but the leasing of lands by the Japanese. It also makes more drastic the provisions against corporate ownership of land for the purpose of evading the Act. The measure, if adopted, will exhaust the State's power in dealing with this great race problem. The bill, however, does not and will not, because the State legally cannot prevent Japanese control of our soil nor can it stop further immigration.

If the measure is adopted, inasmuch as it prohibits only the acquisition of interests in real estate, it will not I fear forestall the ingenuity of legal counsel in enabling the Japanese to remain in control of their agricultural holdings under various forms of personal employment contracts. And in this respect I am advised that it is impossible for the State to enact constitutional legislation prohibiting personal employment contracts with Japanese on account of various provisions in our Federal constitution, recent decisions of the United States Supreme Court, and also certain provisions of the treaty between Japan and the United States.

This being as far as the State can go, however, it will and should, in my opinion, by an overwhelming majority of the voters, enact the proposed initiative legislation. And, in my opinion, as an expression of protest by Californians, as a declaration of the purpose of this present population of ours to maintain its own standards and ideals, as a plea to the citizens of all the States in the Union, many of whom, because they have no contact with the problem might seem to look upon it as an unsubstantial one at this time, every voter in this State will and should cast his ballot for the measure. And for these reasons, expressing both my personal views and, I believe, the views of the overwhelming majority of the people of the State of California, I hope for a vote at the November election that will emphasize to the rest of the Nation the seriousness of the situation here today.

So far I have dealt with the subject only within the limits of state power. But as Governor of this State, I should feel myself recreant in my duty to its people if I did not with the present evidence before me and which I transmit to you, make this solemn appeal to you as the spokesman of our country in its international relationship to use your good offices with the Empire of Japan that stricter provisions be immediately agreed upon, making impossible any further evasion or violation of the spirit of the existing arrangement. How these negotiations should be initiated does not lie within my province to suggest. Indeed, I am confident that with these facts thus officially laid before you, your own good judgment will dictate the next step to be taken towards the desired agreement or treaty.

Let me also add that in addition to this appeal which I make to you for further diplomatic action, I feel impelled by a sense of duty to lay before you the cause of the State of California at this time. The initiative legislation may possibly lead to diplomatic inquiries and correspondence between yourself and the Empire of Japan. Anticipating such a contingency, I am desirous of submitting to you in an official manner this question from the Californian and the American standpoint.

Inasmuch as I am seeking on behalf of the people of California to deal with this problem in a broad and final way, I deem it proper to advise you further that we feel the full solution of this question cannot be had short of an exclusion act passed by Congress. It is my purpose, after transmitting this report to you, to communicate the information to our various Representatives and Senators in Congress that they may then be equipped to take up the cause of California and urge the passage of an exclusion act effectively disposing of this difficulty.

The exclusion act should, in my opinion, provide for the full exclusion of all Japanese, saving certain selected classes; it should further

provide for the registration of all Japanese lawfully within the United States at the time that the act is passed; and further provide that the burden should be upon every Japanese within this country of proving his right to be here by the production of a certificate of registration. In this manner only do I believe that completely effective remedies can be found.

Japan should not take umbrage at us for adopting these measures. The like strict exclusion is today effective in every one of the British Colonies fronting on the Pacific Ocean and having contact with the Japanese. Nor has Japan's valiant service in the late war, which she entered originally as an ally of Great Britain, obtained for her people the slightest amelioration of these drastic British Colonial laws. The British white races on the Pacific will not tolerate a situation from which we are now suffering. Why then should we? Or why should our action seem so much more aggravated than that of Japan's ally, Great Britain?

Let me repeat that in submitting this report and transmitting this letter with its recommendations, the people of California only desire to retain the commonwealth of California for its own people; they recognize the impossibility of that peace-producing assimilability which comes only when races are so closely akin that intermarriage within a generation or two obliterates original lines. The thought of such a relationship is impossible to the people of California, just as the thought of intermarriage of whites and blacks would be impossible to the minds of the leaders of both races in the southern states; just as the intermarriage of any immigrant African would not be considered by the people of the Eastern States.

California is making this appeal primarily, of course, for herself, but in doing so she feels that the problem is hers solely because of her geographical position on the Pacific slope. She stands as one of the gateways for Oriental immigration into this country. Her people are the first affected, and unless the race ideals and standards are preserved here at the national gateway the conditions that will follow must soon affect the rest of the continent.

I trust that I have clearly presented the California point of view, and that in any correspondence or negotiations with Japan which may ensue as the result of the accompanying report, or any action which the people of the State of California may take thereon, you will understand that it is based entirely on the principle of race self-preservation and the ethnological impossibility of successfully assimilating this constantly increasing flow of Oriental blood.

I have [etc.] Wm. D. Stephens

811.5294/94

Memorandum by the Ambassador in Japan (Morris), temporarily in the United States

[WASHINGTON,] *July 22, 1920.*

I explained to Mr. Shidehara the tentative conclusions which I have reached as a result of my discussions with residents of California and Japanese representatives during my recent trip to San Francisco.

I told Mr. Shidehara that there was practically a unanimous determination on the part of the people of California to prevent all Asiatic immigration to California. I explained to him that in my judgment this was not primarily economic but that it arose from the fear of the people of California that the presence of a large body of unassimilable people would threaten them with a serious and persistent race problem. I said that there was a division of sentiment among those who had studied the question whether the Japanese people ever could assimilate with Western civilization. I further expressed my opinion that this question could only be determined by the test of experience and I saw in the California conditions a peculiar opportunity for such a test.

There were admittedly 85,000 Japanese already there and if we could allow two or three generations to pass without adding by immigration to that number we would then know how Japanese had blended into the economic and social structure of California life. I explained that the "Gentlemen's Agreement" had not succeeded satisfactorily in preventing immigration during the past ten years. I believed that if arrangements could be made to provide for total exclusion in the future that we would thus establish the foundation for better treatment by Californians towards Japanese already there. I further told him that the initiative would in my judgment undoubtedly pass and that any effort on the part of the Japanese residents or the Federal Government to prevent its passage by propaganda or otherwise would only serve to accentuate the present antagonism. I had, I said, serious doubts as to the validity of the existing and proposed discriminatory legislation against Japanese residents, in view of our Constitutional provisions and treaty obligations, and that I wished that question could be determined. I asked him to think over the following procedure to handle the problem for the immediate future.

First, to wait in the hope that a test of the validity of the Act of 1913 might be made in our courts so that we know whether we were discussing a real or fictitious situation.

Second, to begin immediate discussions of amendments to strengthen the "Gentlemen's Agreement" so that it would hereafter operate totally to exclude all Japanese. I pointed out that this procedure would accomplish the following results:

(1st) The pendency of a litigation in our courts would give Mr. Hara's [6] Cabinet the opportunity to explain that the legislation which was sure to pass by initiative and referendum was still undetermined as to its effect and in this way allay any possible resentment in Japan. (2nd), At the same time it would give a chance for so strengthening the "Gentlemen's Agreement" that if the Supreme Court should decide in the test case that the legislation of 1913 was valid, then the result of the negotiations of an amended "Gentlemen's Agreement" could be published and thus give ground for modifying the California laws. If, on the other hand, it was held not valid, the new and effective "Gentlemen's Agreement" would operate to prevent subsequent action by California.

I spoke at length and very frankly of the problem in its general aspects; that it represented the whole issue of contact between the West and the East and that it could only be approached in a broad and statesmanlike spirit. So long as it involved undetermined questions of assimilability, it was absolutely essential that we wait until time had solved these questions. In the meantime we must adjust our minds to the conclusion that the people of our Western coast would not permit any further additions to the population by immigration until time had determined these questions.

He replied:

First, that he agreed with me as to my conclusion about the feeling in California. He had always wished that the legality of the legislation of 1913 had been tested; that the reason it had not was that he, as Counselor in Washington then, consulted several eminent American lawyers and was assured by them that the legislation could not be successfully attacked. . . . He was inclined favorably to my suggestion that the question ought to be definitely determined.

Second, as to my suggestion of strengthening by carefully thought-out amendments the terms of the "Gentlemen's Agreement", he would admit that he had been earnestly working on that for some time and had made a careful study of the provisions with a view to determining what amendments could be made. He enumerated the various causes of the increase in population in spite of the "Gentlemen's Agreement" and thought that some of them could be remedied. He was quite prepared to discuss that general problem seriously.

He asked me whether I believed that any good could come of the international commission such as had been suggested by the confer-

[6] Takashi Hara, Japanese Prime Minister.

ence held in Tokyo. I told him that in my judgment that plan was utterly impracticable; that our Government would never consign a domestic question of immigration to an international commission and if any further reason were desired, I had no faith that such a commission, if approved by the Government, could reach any conclusions of this subject that could not be better reached by diplomatic conversations. He said he was glad to hear me say that, as he had advised his own Government exactly to that effect—that the American Government would never consent to such a plan.

In conclusion I explained to him that I had not had an opportunity to report to my own Department on my general observations in California, and I had no idea what their views would be, but speaking entirely personally I thought that we should handle the present situation thus:

First: to cooperate sympathetically in any effort that might be made by Californians independently to test the validity of the 1913 legislation, and I admitted to him that I had so expressed myself to Californians.

Second: to begin at once a discussion of the strengthening of the "Gentlemen's Agreement", to hold any announcement of the result until such time as any test case as to the validity of the legislation might be determined, or it might be necessary, in order to neutralize threatened Congressional action.

I pointed out in conclusion that whether the legislation was valid or invalid, it seemed to me essential that our Governments should agree on a larger understanding that meant total exclusion for a sufficiently long period to test the assimilability of those Japanese already resident on the Pacific Coast.

R[OLAND] S. M[ORRIS]

811.5294/95

Memorandum by the Secretary of State

[WASHINGTON,] *August 28, 1920.*

The Japanese Ambassador called upon me at my invitation this morning and I conferred with him at considerable length on the question of the proposed initiative legislation in California, and the larger question which it raised of the effectiveness of the Gentlemen's Agreement and the treatment of Japanese aliens resident in California. Mr. Morris, our Ambassador to Japan, was present at the interview.

I expressed to him the disappointment of our Government that the voluntary action of Japan in refusing hereafter to issue passports to "picture brides" had not served as the Department had at one time hoped to prevent the initiation of amendments to the California

land law. I told him that there was considerable doubt in the minds of many as to the legal validity of these proposed amendments, or at least some of them, as well as to the legislation of 1913, and I expressed the hope that an early opportunity would offer to test this entire body of legislation in our Courts; and that I would welcome his cooperation to that end. I ventured the opinion that the people of California were prepared to accord fair treatment to Japanese residents provided they could be assured for the future of an effective total exclusion beyond that now provided by the terms of the Gentlemen's Agreement.

I told him that I would be glad to direct Ambassador Morris to take up with him informally but in detail the whole question of modification of the Gentlemen's Agreement which would render exclusion more complete and more effective; and I requested him to inquire of his Government whether they would consider granting to him generous powers to confer with Ambassador Morris to this end.

I concluded by stating that I would await with interest any results of such full and frank discussion between him and Ambassador Morris. I also explained to him the constitutional limitations which made it inexpedient and impracticable for the Federal Government to interfere in the initiative legislation now presented to the people of California.

. . . . . .

B[AINBRIDGE] C[OLBY]

811.5294/91 : Telegram

The Chargé in Japan (Bell) to the Secretary of State

[Paraphrase]

TOKYO, *September 12, 1920—3 p. m.*
[Received September 12—9 : 55 a.m.]

474. The Japanese language papers have been printing for several days numerous items regarding California conditions. I have gained the impression from some of these that they were written under the inspiration of the Department for Foreign Affairs. Their general purport is that by strengthening the present understanding regarding the regulation of immigration of Japanese the Governments of Japan and the United States hope to be able to prevent a vote in California or to bring about the defeat of the measure submitted. These newspaper reports generally take a friendly attitude toward the situation in which the United States is placed and show approbation of the endeavors of the national administration to find a satisfying answer to the problem. Intimations have been made that the Government of the United States, in case the measure

carries in the popular vote, might challenge its legality or protect the interests of citizens of Japan already in the State by a special American-Japanese treaty.

The chauvinistic and opposition papers, on the contrary, tend to assume an unfriendly tone toward the Japanese Government's favoring conciliation and stress the claim that by simply making it possible for Orientals to become American citizens the Government of the United States could solve the whole problem. . . .

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BELL

811.5294/130a : Telegram

The Acting Secretary of State to the Chargé in Japan (Bell)

[Paraphrase]

WASHINGTON, *October 29, 1920—7 p.m.*

401. From Ambassador Morris.

I have concluded my unofficial conversations with the Japanese Ambassador. We do not differ much although we do not yet completely agree. I am persuaded by my talks with the Ambassador that it is possible to settle the California issue fairly. When it is completed, I will send you copy of the full report I am writing for the Department. Here is the foundation of the agreement I am preparing:

(*a*) Conclude a new understanding with the Japanese Government that their working people shall be absolutely excluded, the United States to reserve right by act of Congress to put regulations into force upon arrival of immigrants in this country;

(*b*) Persons of Japanese nationality not American citizens to have equality in civil rights with other foreigners but not the right to be naturalized, which is political. It is intended to put this provision in a treaty clause;

(*c*) Double allegiance of Japanese holding citizenship in the United States to be done away with by Japan through change in her existing laws regarding citizenship;

(*d*) Japanese consuls not to have supervision over such persons.

If you do not think it best you need not deliver any or all of the private messages I am sending for some Japanese with whom Vanderlip and Alexander had conferences. Indications are that the land law submitted to a referendum vote in California will receive a very large majority. Complete telegraphic reports of how the news of this vote is received by the Japanese will, I am sure, be appreciated by the Department. Morris.

DAVIS

811.5294/136a : Telegram

The Acting Secretary of State to the Chargé in Japan (Bell)

WASHINGTON, *November 2, 1920—7 p.m.*

406. The Department yesterday made public the following statement:

"The movement in California to recast the State laws affecting alien land tenure has been receiving since its inception the close and interested attention of the Department of State. The relation of certain treaty provisions to the proposed measure is being discussed clearly and ably in California and will doubtless prove an element in the State's decision as to the adoption or rejection of the proposed measure. In the meantime the Department has had numerous discussions of the most friendly and candid nature with the Ambassador of Japan and it is believed he thoroughly realizes, as we have sought to make clear, that no outcome of the California movement will be acceptable to the country at large that does not accord with existing and applicable provisions of law, and what is equally important, with the national instinct of justice."

DAVIS

811.5294/137 : Telegram

The Chargé in Japan (Bell) to the Secretary of State

TOKYO, *November 4, 1920—6 p.m.*

[Received 11:08 p.m.]

570. Statement quoted in Department's telegram 406, November 2, 7 p.m. was published yesterday in most vernacular papers, the general tenor of their comments being that while evidencing the sincerity of the Federal Government in the negotiations it would have no effect on the impending legislation.

Vernacular press has so far printed little editorial comment on the passage of the California initiative, news of which was received last night. Only two papers contained leaders on the subject. These were more or less hysterical and dwelt upon the injustice of the act which would despoil Japanese residents of their vested rights but neither of these papers represent the moderate elements. The entire tone of the comment has been affected by the fact that passage of initiative has for some time past been regarded as certain.

Departments 402 [*401*], October 29. Several papers this morning carry articles which point to inspiration by the Foreign Office. Among these the *Asahi* is the most lucid. After noting the fact that the negotiations in Washington have been making smooth progress it states that Ambassador Shidehara, Secretary Colby and Mr. Morris have come together on the fundamentals of a new agreement which it is rumored will lead to a perfectly satisfactory solution

within a few weeks and the essentials of which are: 1. As America fears an unlimited Japanese immigration the demand for the tightening of the Gentlemen's Agreement is to be accepted and the strictest control of persons entering the United States to be exercised. 2. In order to guarantee to Japanese the possession of their vested interest discriminatory treatment to be removed and they are to be allowed to enjoy civil rights on terms of most favored nations.

The article goes on to say.

"There is no room for doubt that an agreement of this nature will be concluded. Although it will be inconvenient for those desiring to go to America, Japanese already there will receive most generous treatment. The only point upon which doubt arises is that if the Imperial Government consents to any such inhuman restraint whereby Japanese residents will be unable to send for their relatives, the nation will suffer a loss of face to have it recorded in a solemn treaty. Therefore there probably will be further negotiations on this point. With the conclusion of the new agreement the California land law will spontaneously [*simultaneously?*] become inoperative and the Japanese residents will only have to suffer for a short time. Although the future of the Japanese American negotiations may be looked upon with comparative optimism, inasmuch as the Democratic administration, as a result of the election, will not remain in office much longer, this aspect may be impeded by new policies of the Republican Party. It is, however, not likely that the fundamentals of the negotiations will be affected. If, however, the negotiations [are] speedily concluded the Senate which must ratify any agreement may refuse to do so and consequently the formal negotiations will probably not take place until after March."

BELL

811.5294/140 : Telegram

The Chargé in Japan (Bell) to the Secretary of State

TOKYO, *November 5, 1920—4 p.m.*
[Received November 5—3:10 p.m.]

572. My November 4, 6 p.m. Practically all vernacular papers have registered their views in connection with the passage of the California initiative. In the moderate and pro-Government papers the comments have on the whole been sane and optimistic. The efforts of the civil Government, particularly the Foreign Office, in the way of making the situation clear to the public have in no small measure contributed to this result. For instance, the *Chuo* organ of the Seiyukai Party, minimizes the losses that the Japanese residents will suffer, pointing incidentally to the fact that Japanese can continue farming on the percentage basis, and alludes

to the favorable prospects of a satisfactory solution through the conclusion of a new agreement. There is no doubt however that public opinion deeply resents the action of California and is inclined to attribute it to racial more than economic grounds. Manager [*sic*] sensational and anti-Government press having for the present exhausted its stock of vituperation against the United States devotes itself chiefly to urging the nation to assume a resolute attitude toward the question and to taking the Japanese Government to task for not having made due efforts in advance towards "dispelling the misunderstanding of Californians"

There is no little gratification at the defeat of Senator Phelan [9] but one journal admits it affords no comfort for the passage of the initiative paragraph. Marquis Okuma [10] is quoted as saying: "While there are some people who advocate war these are merely the words of shallow minded people. Americans are people who respect the voice of public opinion, and if we fight with fair honorable arguments, there are no Americans who will not yield to justice"

There is much more comment in the press on the result of the Presidential elections than on the passage of the initiative, chiefly in connection with the effect on Japan. The general assumption is that the Republican Party is more given to positive and imperialistic policies than the Democratic and therefore greater encroachment upon Japan may be expected in future. This is the attitude particularly of the *Yamato* but another imperialistic organ the *Kokumin* cordially welcomes the Republican régime hoping it will readopt what it calls the policy of friendship to Japan of Roosevelt and Taft and excuses the unfriendly utterances of Republican senators as being dictated merely by political motives.

As to the California question, vernacular press in general does not believe that the change in administration will cause any alteration in policy on the ground that the views of the two parties are practically identical.

BELL

811.5094/160 : Telegram

The Governor of California (Stephens) to the Acting Secretary of State

SACRAMENTO, *November 15, 1920.*
[Received 10:46 p.m.]

The vote in California will prove approximately three to one against ownership or leasing of California lands by aliens ineligible

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[9] James Duval Phelan, of California.
[10] Marquis Shigenobu Okuma, Japanese statesman.

to citizenship. We believe the sentiment against it is equally strong in other Pacific Coast States. May I respectfully insist therefore that any treaty negotiations between the United States and Japan be so worded as to conform to California's views. If the State Department has other views can we not be so informed and given an opportunity to make further representations and arguments.

WM. D. STEPHENS

811.5294/219

The Governor of California (Stephens) to the Acting Secretary of State

SACRAMENTO, *December 9, 1920.*

SIR: In further answer to the wire from Secretary Colby [12] asking to be advised of the final vote cast November 2nd on the Anti Alien Land Initiative Measure, I beg to inform you that 668,483 votes were cast in the affirmative and 222,086 in the negative.

The Secretary of State of California on December 4th made and filed his official declaration of the vote.

Under the Constitution this measure, like all similar initiative measures which were approved by the people, takes effect five days after this official declaration. In other words, tomorrow the so called Anti Alien law of California will become effective.

In calling your attention to these facts, I have no desire to embarrass the negotiations now pending between your department and the government of Japan. Nor am I prompted by any feeling of alarm that any rights of citizenship or any other undesirable rights or privileges are to be accorded to ineligible aliens. The expressions hitherto conveyed to me have in no sense lost their firm impression.

From tomorrow on, however, this definite piece of legislation adopted so overwhelmingly by the people of this state springs into legal life and as Governor of this State it becomes my duty to see that it is just as vigorously enforced as any other law upon the statute books.

Innumerable reports have come to this office within the last few months of unprecedented transactions in agricultural real property by Japanese and the sections of the state affected by these transactions are most outspoken in their denunciation of these acquisitions of agricultural real property interests for the purpose of evading the new Anti Alien Land Law. Litigation is bound to ensue and

[12] Not printed.

the Attorney General and the various District Attorneys of the counties will, with the full support of the Governor of the State behind them, apply all their resources to the full enforcement of the law.

Public opinion on this matter is overwhelming and very sensitive about any interference with or restraint upon the sovereign right of the State to deal with its domestic land problem. As Governor I shall deem it my duty to exercise my full Constitutional power in the enforcement of this statute—justly, of course, but effectively.

Respectfully,

WM. D. STEPHENS

EXCHANGE OF NOTES BETWEEN THE UNITED STATES AND THE JAPANESE GOVERNMENTS EXPRESSING REGRET FOR THE INCIDENTS OF MARCH 11, 12, AND 13, 1919, AT TIENTSIN [13]

893.00/3508

The Chief of the Division of Far Eastern Affairs, Department of State (MacMurray) to the Ambassador in Japan (Morris), temporarily in the United States

[WASHINGTON,] *July 21, 1920.*

MR. MORRIS: You will recall that on March 11, 12, and 13, 1919, there occurred a series of clashes between members of the American and Japanese military contingents at Tientsin. A chronological statement of the facts in regard thereto was sent to you at Tokyo by telegraph on April 4, 1919. (File 893.00/3025a)[14] That statement of facts included the following incidents, namely, an unprovoked attack by Japanese in civilian clothes upon members of the military police in the Japanese concession on the evening of March 11; an invasion of the French concession by a Japanese mob at midnight on March 12, led by the Acting Japanese Consul General mounted on a horse, which resulted in the arrest by the Japanese soldiers and civilians of one American soldier who was assaulted, stabbed and carried to the Japanese police station, and the arrest of another American soldier on military police duty, who was assaulted without provocation and taken by the Japanese soldiers to the Japanese police station. When the American Consul General approached the Japanese officials for the purpose of ascertaining the whereabouts of these two wounded soldiers on the night of March 12, the Japanese officials denied that they were confined in the Japanese police

[13] For previous correspondence relating to the Tientsin riots, see *Foreign Relations*, 1919, vol. II, pp. 420 ff.

[14] File number should be 893.00/3028a; document printed in *Foreign Relations*, 1919, vol. II, p. 424.

station although the Consul General found one of them locked in a cell and the injured one lying uncared for in the courtyard of the station; on March 13, an American soldier, apparently without cause struck a Japanese who was standing in the grounds surrounding the residence of the Japanese Consul General for which act the American commanding officer made apologies to the Japanese authorities and punished the soldier; on the evening of March 13, some fifty Japanese armed with clubs and followed by a mob pursued three American military police to the theatre in the French concession but were finally dispersed by Japanese police. A full report of the incidents above outlined was made as the result of an investigation carried out by a committee appointed by the American Consul General at Tientsin under date of March 28, 1919. (File 893.00/3057)[15]

The Department was informed by telegraph from Peking on June 2, that the Japanese Acting Consul General had called on the American Consul General at Tientsin and made a statement of regret for the acts of the Japanese in the French concession and also called upon the American Commandant and expressed regret for the " possible lack of friendliness and caution on the part of the Japanese, even though in the midst of confusion, in treating the wounded soldier." The Japanese Consul General, however, maintained the position that the police inspector had not intentionally made false statements to the American Consul General and could not be censured.

Third Assistant Secretary Long had a conversation with the Counselor of the Japanese Embassy, Mr. Debuchi, on June 2, in which Mr. Debuchi stated that his Government had instructed the Japanese Minister at Peking to discuss the Tientsin incident very frankly with the American Minister and to make apologies if there was anything in the matter in which the Japanese had acted wrongfully. He stated that the Japanese Minister at Peking had also been instructed to ask for an apology for any acts which the Americans might have committed at Tientsin. (File 893.00/3097)[15]

The expression of regret made by the Japanese Acting Consul General to the American Consul General and the American military commander at Tientsin were forwarded with a despatch from Peking dated June 3, 1919. (File 893.00/3181)[15]

The whole incident, in so far as any settlement is concerned, has been complicated by the fact that the Japanese Government and its authorities have insisted upon a fact irrelevant to the illegal and uncalled for acts of the Japanese at Tientsin, namely, the question as to whether or not American soldiers had been present in the Japanese concession on the night of March 12. Thus far no evidence has been produced to show that American soldiers were so present in the

[15] Not printed.

Japanese concession and it is the contention of this Government that whether they were present or not has no bearing upon the question of the illegal arrest of American soldiers by the Japanese, the maltreatment of American soldiers by the Japanese while in the custody of the Japanese and the attempt made by the Japanese police to deceive the American Consul General as to the whereabouts of the Americans held by the Japanese police.

There were further conversations between the Third Assistant Secretary, Mr. Long, and the Japanese Chargé d'Affaires on July 1, and 2, memoranda of which are in the files. (893.00/3151–/3150–/3149.)[16]

Under date of August 19, 1919, the American Minister at Peking forwarded a report from the Consul General at Tientsin inclosing a communication from the Japanese Consul General at that port setting forth the Japanese claims concerning what occurred during the nights of March 11, 12, and 13, with special reference to the presence of American soldiers in the Japanese concession on the night of March 12. (893.00/3231)[17]

On November 6, 1919, the American Consul General at Tientsin forwarded a memorandum covering a conversation between himself and the Japanese Consul General on the subject of the Tientsin incident wherein the question of the settlement of the matter was discussed. (893.20/3272)[18]

On December 4, 1919, Mr. MacMurray, Chief of the Division of Far Eastern Affairs, had a conversation with Mr. Debuchi, Japanese Chargé d'Affaires, in which he again brought up the point which the Japanese Government was insisting upon, namely, admission by the American Government of the presence of American soldiers in the Japanese concession on the night of March 12. Mr. MacMurray pointed out to Mr. Debuchi that this matter had no connection at all with the acts of the Japanese authorities and soldiers at Tientsin which were complained of. He also reminded him that the expression of regret which had been made to our Consul at Tientsin by the Japanese Consul General some two months after the event was so general in its terms as to be utterly misleading as it did not acknowledge or disavow the acts complained of. At the end of the discussion Mr. Debuchi expressed his sorrow that the matter could not be

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[16] Memoranda not printed; an extract from the *aide-mémoire* left with the Third Assistant Secretary by the Japanese Chargé during the conversation of July 2, 1919, is quoted in the telegram of the same date to the Minister in China, printed in *Foreign Relations*, 1919, vol. II, p. 430.

[17] Report of the consul general at Tientsin of Aug. 19, forwarded to the Department by the American Minister, printed in *Foreign Relations*, 1919, vol. II, p. 436; enclosure not printed.

[18] File number should be 893.00/3272; document printed *ibid.*, p. 438.

brought to a satisfactory settlement and he supposed that the only thing left to do was to drop the question and let it be forgotten.

The Japanese Chargé d'Affaires took the same attitude in this matter in a later conversation with the Third Assistant Secretary, Mr. Long, on December 12, when he said that his Government's position was such that it practically amounted to a refusal to proceed without an admission by this Government of the presence of American troops in the Japanese concession on the night of March 12. To a suggestion by Mr. Long that the Japanese Government submit a suggestion for a settlement, "even if it was only to a mutual settlement of claims for reparation of injury to the persons, and a mutual apology to be properly expressed by each Government again through their respective representatives at Tientsin," Mr. Debuchi stated that his Ambassador had reached the conclusion that it was impossible to do anything with the matter and that the case should be filed. (893.00/3302)[19]

On December 13, the Japanese Ambassador stated to Assistant Secretary Long that a settlement might be made upon the basis which Mr. Long had suggested to Mr. Debuchi on December 12, and referred to above, with the proviso "that the Government of the United States would be very glad to continue its investigation of the Tientsin incident to determine whether or not there had been American soldiers present in the Japanese concession on the night of March 12, and to make proper apology and explanation, if it were finally determined in the course of such inquiry that American soldiers had been there and had been guilty of misconduct."

On December 12, Assistant Secretary Long wrote a memorandum to the Secretary outlining the suggestions which he had made to the Japanese Ambassador for the settlement of the Tientsin affair. (893.00/3301)[20]

On December 23, Mr. Debuchi of the Japanese Embassy, offered to take up the Tientsin matter again and stated that the Japanese Ambassador had approved of the suggested method of settlement but when Mr. Long informed Mr. Debuchi that the Secretary desired to speak to the Japanese Ambassador personally on the matter the subject was dropped. (893.00/3274)[21]

The discussion of the Tientsin incident ended here. So far as this Division is informed the matter appears not to have been taken up between the Secretary of State and the Japanese Ambassador and

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[19] See memorandum of the Third Assistant Secretary of State, Dec. 12, 1919, *Foreign Relations*, 1919, vol. II, p. 442.

[20] Not printed; see memorandum of the Third Assistant Secretary of State, Dec. 12, 1919, of his conversation with the Counselor of the Japanese Embassy, *Foreign Relations*, 1919, vol. II, p. 442.

[21] *Foreign Relations*, 1919, vol. II, p. 444.

therefore remains unsettled. This Division believes that the suggested method of settlement made by Mr. Long which has not been accepted by the Japanese Government should be dropped from further consideration and that we should ask the Japanese Government without reference to the question of the presence of American soldiers in the Japanese concession on the night of March 12, first, for a mutual exchange in writing of formal apologies between the Imperial Japanese Ambassador at Washington and the Department of State involving on the part of the Department of State a reiteration of the apology made by the Commanding officer at Tientsin for the act of the American soldier in assaulting the Japanese; and, on the part of the Imperial Japanese Ambassador, an apology for the illegal arrest of Americans by the Japanese officers, which was effected outside the bounds of the Japanese concession, and the deliberate misleading by Japanese officials of the American Consul General as to the fact of the detention of the American soldiers in the Japanese jail; and the usual amends due to the American soldier who was seriously injured as the result of bayonet wounds inflicted while he was illegally under arrest.

MacM[URRAY]

893.00/3653

The Japanese Ambassador (Shidehara) to the Acting Secretary of State

WASHINGTON, *December 7, 1920.*

SIR: It has been brought to my attention that on the night of March 12, 1919, an unfortunate *mêlée* took place at Tientsin between certain American soldiers and Japanese civilians. On the Japanese side, three were badly wounded in the Japanese Concession, and seven others, in the adjoining French Concession. Amid the disturbances, one American soldier was arrested in the French Concession by the Japanese military and police authorities, while another was seriously injured by the disorderly crowd and was also taken from that Concession to the Japanese police station.

Shortly thereafter, the American Consul-General visited the Japanese police station, and, in answer to the question which he had put to the Chief of Police, he was given to understand that no American soldier was being detained at the station. The reply of the Chief of Police was admittedly inexact and misleading, since two American soldiers were actually there under detention.

On the following day, March 13, four American soldiers entered the premises of the Japanese Consulate-General at Tientsin, and

painfully assaulted, without any provocation, an official of the South Manchuria Railway Company who happened to be standing at the entrance of the house.

It would not be necessary to describe further particulars of the incident. The whole controversy is regrettable, and, in the belief of the Japanese Government, it should speedily be brought to a friendly settlement, each Government being ready to do justice to the other.

Accordingly, under authorization of my Government, I have the honor to tender to the Government of the United States an expression of sincere regret for the illegal arrest of American soldiers by the Japanese authorities at Tientsin, and for the misleading statement of the Chief of the Japanese Police at Tientsin in reply to the American Consul-General as to the presence of soldiers detained in the Japanese police station on the night of March 12, 1919.

Accept [etc.] K. SHIDEHARA

893.00/3653

The Acting Secretary of State to the Japanese Ambassador (Shidehara)

WASHINGTON, *December 8, 1920.*

EXCELLENCY: In acknowledging the receipt of Your Excellency's note of December 7, 1920, concerning the unfortunate *mêlée* which occurred at Tientsin on the night of March 12, 1919, between certain American soldiers and Japanese civilians and soldiers resulting in injuries to individuals on both sides, I have the honor to accept, on behalf of the Government of the United States, the expression of sincere regret, so frankly tendered by you on behalf of the Japanese Government, for the illegal arrest of American soldiers by the Japanese authorities at Tientsin, and for the misleading statement made by the Chief of the Japanese Police at Tientsin in reply to the American Consul-General as to the presence of American soldiers detained in the Japanese police station on the night of March 12, 1919.

In connection with the incident which occurred on the following day, March 13, when American soldiers entered the premises of the Japanese Consulate General at Tientsin and struck, without provocation, an official of the South Manchuria Railway Company who happened to be standing near the entrance of the house, I have the honor, on behalf of the Government of the United States, to repeat to the Japanese Government the expression of sincere regret for this incident which was originally conveyed to the Japanese authorities

by the Commanding officer of the American military at Tientsin at the time it occurred.

I would further express the sincere regret of this Government if on the night of March 12, any American soldiers were present in the Japanese Concession contrary to the strict orders of the American military authorities.

Accept [etc.] NORMAN H. DAVIS

893.00/3653 : Telegram

The Acting Secretary of State to the Minister in China (Crane)

WASHINGTON, *December 9, 1920, 8 p.m.*

366. For your information and such publicity as in your discretion seems necessary there are transmitted following texts of an exchange of notes between the Department and the Japanese Embassy at Washington relative to the Tientsin incident. You should transmit these to the American Consul at Tientsin for similar action and to the Embassy at Tokyo for its information only.

[Here follow texts of notes exchanged, printed *supra*.]

DAVIS

TAXATION BY JAPANESE AUTHORITIES OF AMERICAN RESIDENTS IN THE SOUTH MANCHURIA RAILWAY ZONE:[22] ARRANGEMENTS FOR THE PAYMENT OF VOLUNTARY CONTRIBUTIONS

894.0144/13

The Consul General at Mukden (Pontius) to the Secretary of State

No. 19 MUKDEN, *February 9, 1920.*
[Received March 13.]

SIR: I have the honor to acknowledge the receipt of Department instruction No. 77, dated November 22, 1919 (File No. So 894. 1044/12),[23] written on the subject of the attempt of the Japanese authorities to levy an income tax for municipal purposes on American citizens residing in the Japanese Settlement, and outlining the attitude of the Department towards the method of levy of the municipal tax in question.

The attitude of the Department in this regard was duly communicated to the local Japanese Consul General and the latter was re-

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[22] Continued from *Foreign Relations*, 1919, vol. II, pp. 444–457.

[23] File number should be 894.0144/12; copy also filed as enclosure 26; document printed in *Foreign Relations*, 1919, vol. II, p. 455.

quested to convey the information to the President of the South Manchuria Railway. The gist of the Department's instruction was communicated to the local branch of the Standard Oil Co. of N.Y., several employees of which constitute the only Americans at present residing in the Japanese Settlement.

The Department instructed this office to ascertain the attitude of the other consular representatives in Mukden on this particular question.

The Russian Consul General having in mind the pessimistic outlook of political affairs in his own country said he was not at present in a position to protest against anything. He assumed no responsibility whatever for the number of Russian Jews residing in the Settlement as none of them were registered in his office. He feared the power of the Japanese in Manchuria but in such a matter as taxation he felt he was too helpless to take any stand.

The British Consul General informs me that none of his nationals reside in the Japanese Settlement. The case under discussion being duly explained to him, he expressed himself as opposed to any such levy should a British subject become involved. In any event he would report the matter immediately to the British Minister at Peking.

The French Consul has likewise none of his nationals residing in the Japanese Settlement. His attitude is precisely the same as that of his British Colleague.

I have [etc.] [ALBERT W. PONTIUS]

894.0144/14

The Consul General at Mukden (Pontius) to the Secretary of State

No. 57 MUKDEN, *May 26, 1920.*

[Received June 22.]

SIR: Supplementing my No. 19, dated February 9, 1920 (File No. 370) in reply to Department instruction No. 77 dated November 22, 1919 (File No. 894.0144/12), written in further connection with the action of the Japanese railway authorities in attempting to levy an income tax for municipal purposes on American citizens in the Japanese settlement at Mukden, I have the honor to report herewith further developments in this regard.

Several weeks ago the local Japanese Vice Consul called upon me and stated that the Japanese Government and the South Manchuria Railway authorities were very anxious to settle the question of collecting "taxes" in a uniform manner from all foreign residents in the railway settlement at Mukden. When asked to submit a

proposal of the manner of levying and for the collecting of the assessments, he offered the suggestion that the matter be solved by us instead. I then requested him to supply me with a scale of the so-called income tax rates levied on and collected from Japanese (and other) residents in the settlement. The schedule of rates has just been given me and for the information of the Department is quoted hereunder:

SCALE OF TAX RATE PAID BY RESIDENTS IN JAPANESE RAILWAY CONCESSION

Class	Monthly income	Amount imposed in one year	Amount imposed in one term (three months)
Special	Yen 1,000. (and up)	Yen 435. (and up)	Yen 108.75. (and up)
1st	800.	315.	78.75
2nd	650.	243.	60.75
3rd	550.	195.	48.75
4th	475.	159.	39.75
5th	400.	123.	30.75
6th	350.	105.	26.25
7th	300.	87.	21.75
8th	275.	78.	19.50
9th	250.	69.	17.25
10th	225.	60.	15.
11th	200.	51.	12.75
12th	175.	43.20	10.80
13th	150.	35.40	8.85
14th	125.	27.60	6.90
15th	100.	19.80	4.95
16th	80.	15.	3.75
17th	65.	11.40	2.85
18th	50.	7.80	1.95

The Japanese consular authorities clearly understand that the collection of an income tax levy from Americans residing in the railway settlement is entirely out of the question, and the schedule was desired merely to aid in arriving at some equitable manner of assessment. The Japanese Vice Consul assured me that all of the receipts under this heading were expended in policing, street lighting, road repair, water supply, fire prevention, and the like, and that it was levied upon all classes without discrimination. All Russian residents were paying this tax. The Vice Consul urged that the local foreign merchants elect a committee in order that the question could be gone into without any further delay, and that it was desired that the assessments be paid direct to the Japanese authorities.

As none of their nationals reside in the railway settlement the local French and British Consuls are not at all anxious to take any active part in the present situation, and under the circumstances the matter therefore is one for the Americans to adjust. As already reported to the Department, the only Americans concerned are the Standard Oil Co. and its employees, and I have the honor to report the results of an interview had with the manager of that firm. The manager agrees with me that any "contribution" towards the public expense of the municipality could best be assessed upon the rental value or payments, and that a fair levy would be a 12% assessment—the same as collected in the International Settlement at Shanghai. The manager of the Standard Oil Company is of the conviction that the contribution in the nature of assessments should be transmitted to the Japanese authorities through this Consulate-General, basing his contention as he states on the attitude adopted by the Department in connection with the railway settlement difficulties existing in Harbin. The reasonableness of the rates and the manner of levying the assessments once agreed upon, I think it would be more expedient for the Americans concerned to pay the contribution direct to the proper Japanese authorities. Such action would obviate any chance of this office directly or indirectly assuming any responsibility in this regard. That the conditions at Mukden are somewhat different from the situation at Harbin is apparently evident from the quotation hereunder taken from an instruction sent by the Acting Secretary of State to the American Legation at Peking under date of January 7, 1910:[24]

"An examination of the report upon Japanese jurisdiction in Manchuria to which you refer fails to show that the South Manchurian Railway is allowed to exercise any political powers, but that 'subject to the Government's permission' it makes 'arrangements for engineering works, education, sanitation, etc. within the areas of land belonging to the railway and may collect fees from residents thereon.' The truth of this statement is confirmed by an examination of the Government Order in the matter. (See Rockhill's *Treaties, etc.*, Vol. II, page 191).

The Imperial Ordinances relating to the government of the leased territory of Kwantung indicates that the police administration over the railway areas is under the control of this Kwantung general government and not that of the railway company. On the other hand, as you are aware, Mr. Straight's No. 207, of February 22, 1908,[25] enclosed a translation of certain regulations concerning Branch Councils in places along the railway, which put the administration of the settlements in the hands of the rail-

[24] *Foreign Relations*, 1910, p. 227.

[25] Not printed; Willard D. Straight was consul general at Mukden 1906–9.

way company. It may be urged, however, that the South Manchurian Railway is practically a Government railway and that its status is therefore different from that of the Chinese Eastern Railway Company, which is purely commercial and which has been created by a private organization—the Russo-Chinese Bank—itself subject to Consular jurisdiction in Manchuria."

The Department in its instruction No. 77, as referred to in the foregoing, expresses the view that the United States Government would want to be consulted as to the reasonableness of the rates and the manner of levying and collecting the assessments. The attitude of the Japanese authorities seems to be that if the American residents will not pay the income tax, what are they willing to pay? The reply so far as the local Americans are concerned, is a contribution based on an assessment of 12% on the rental value or payments. This contribution would apply to firms as well as individuals. In this connection I might mention that the Japanese authorities attempted to levy an assessment of 25,000 gold yen (which was later reduced to 10,000 gold yen) on the "income" of the local branch of the Standard Oil Company which has its offices in the settlement, but even any discussion of the matter was flatly refused. In no case has any tax been paid to the Japanese authorities so far as the employees of the Standard Oil Company are concerned. In my opinion, the Japanese authorities have little right in contending that the "contributions" should be based upon monthly income, for the simple reason that the American residents do not enjoy all of the benefits the Japanese derive—that a good share of the receipts are very likely directed to such uses as are of no benefit to the Americans concerned.

The Japanese Consul General has been informed of the proposal in this connection, and also clearly notified that the proposal must be submitted to the Department of State for its approval. The Japanese Consul General is likewise referring the matter to the South Manchuria Railway authorities. A copy of this despatch is being sent to the Legation at Peking.

I have [etc.] ALBERT W. PONTIUS

894.0144/14

The Secretary of State to the Consul General at Mukden (Pontius)

WASHINGTON, *November 19, 1920.*

SIR: Reference is made to your despatch No. 57 of May 26, 1920, regarding the payment of a tax for municipal purposes by American citizens residing in the Japanese settlement at Mukden.

In reply you are informed that the Department perceives no objection to the adoption of a plan along the lines indicated by you, namely for the payment by American citizens of assessments based upon rental values of property occupied by them. The Department is not in a position to determine whether the 12 per cent assessment suggested by you is equitable, but presumes that the matter has been carefully considered by you and the American citizens concerned. If this rate proves satisfactory to the railway officials you may inform American citizens that the arrangement has the approval of the Department.

The Department concurs in your suggestion that the payment should be made directly to the proper Japanese or railway authorities.

In communicating with the Japanese Consul General on the subject you should not fail to make it clear that in thus consenting to the making of contributions by American citizens this Government does not in any way recognize the right of the railway company to exercise political powers in the railway zone, or to impose a tax upon American citizens residing therein, nor does this Government in any way relinquish its exclusive jurisdiction over such citizens. On the other hand, the payments are to be considered as a voluntary contribution by American citizens of their fair share toward the up-keep of the municipality in return for benefits enjoyed. It should also be made clear that this arrangement is tentative in character and shall in no way prejudice any future action by this Government on the subject should the arrangement prove inequitable or otherwise unsatisfactory.

. . . . . .

I am [etc.]

For the Secretary of State:
WILBUR J. CARR

894.0144/16

The Consul General at Mukden (Pontius) to the Secretary of State

No. 147 MUKDEN, *April 9, 1921.*
[Received May 6.]

SIR: Referring to Department instruction dated November 19, 1920 (File No. 894.0144/14) written in connection with the voluntary payment of a tax for municipal purposes by American citizens residing in the South Manchuria Railway Settlement at Mukden, I have the honor to state that on December 30, 1920 the attitude of

the Department in this connection was communicated to the officials of the South Manchuria Railway through the local Japanese Consul General.

After a considerable interval the railway authorities replied as is shown in a letter quoted hereunder which was received from the local Japanese Consul General under date of April 8, 1921:

"In continuation of my acknowledgment of January 4, 1921, I have the honour to inform you that the following reply was received from the South Manchuria Railway Company (S.M.R. Co.):

'The South Manchuria Railway Company have no objection to the voluntary contribution by American residents in the railway settlement at Mukden, of 12% assessment based upon the rental value of property occupied by them, which is directly payable to the railway authorities in Mukden. This Company take note that this arrangement shall, in its nature, be tentative.

'It will, however, be understood that, in thus consenting to the American voluntary payment, the rights and power of this company in the railway zone shall not be prejudiced by this arrangement.' "

I have [etc.] ALBERT W. PONTIUS

TERMINATION OF TEMPORARY ACQUIESCENCE BY THE UNITED STATES IN THE JAPANESE PASSPORT REGULATIONS FOR THE SOUTH MANCHURIA RAILWAY ZONE

894c.111/2 : Telegram

The Minister in China (Reinsch) to the Secretary of State

PEKING, *April 6, 1918—7 p.m.*
[Received 8 p.m.]

The Japanese Government has issued regulations taking effect immediately for the control of the entry of the foreigners into the Port Arthur leased territory and the South Manchurian railway zone uniform with regulations of January 24th regarding the entry of foreigners into Japan. They contain restrictions on the entry of undesirable persons and require that persons entering shall carry passports with photographs and Japanese consular visé. Consul at Mukden reports British subject found without passport was arrested and roughly handled. Your instructions are requested.

REINSCH

894c.111/2 : Telegram

The Secretary of State to the Minister in China (Reinsch)

WASHINGTON, *April 19, 1918—6 p.m.*

Your April 6, 7 p.m.

The Department acquiesces in the application of the passport regulations, made temporarily expedient by the war, to Americans

entering Port Arthur leased territory and South Manchuria railroad zone on the understanding that acquiescence does not commit this Government in any respect regarding the relative rights of China and Japan in these districts or regarding the divestment of American citizens in Manchuria of their extraterritorial rights.

LANSING

894c.111/8

The Minister in China (Reinsch) to the Secretary of State

No. 2057 PEKING, *May 20, 1918.*
[Received June 27.]

SIR: I have the honor to enclose for your information a copy of my note to the Japanese Minister, dated April 24th, in which I communicated the acquiescence of the American Government to temporary passport control in the Port Arthur territory and the South Manchuria railway zone; copy of an answer thereto, dated May 13th, signed by Mr. Yoshizawa, Counselor of Legation, as well as an acknowledgment by myself, dated May 20th.

I have the honor to point out that the answer of the Japanese Legation seems to imply that passport control could be as a matter of right exercised as "an administrative measure based upon Japanese police right on the railway zone". Such an interpretation of Japanese police rights had not hitherto been made and if it is insisted upon it may be necessary to offer opposition in order to avoid interference with American rights in China through the exertion of Japanese police administration.

I have [etc.] PAUL S. REINSCH

[Enclosure 1]

The American Minister in China (Reinsch) to the Japanese Minister in China (Hayashi)

PEKING, *April 24, 1918.*

MR. MINISTER AND DEAR COLLEAGUE: In reply to your note of April 6th,[27] I have the honor to inform you that I have received instructions of my Government to the effect that it will acquiesce in the application to Americans of the passport regulations of your Government, made temporarily expedient by the conditions of the war, as far as concerns Port Arthur leased territory and South Manchuria railway zone.

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[27] Apparently not forwarded to the Department.

It is to be understood that this acquiescence on the part of my Government does not in any respect contain any commitment regarding the relative rights of the Japanese and the Chinese Governments in these regions, and that it fully reserves the extra-territorial rights of American citizens in Manchuria.

It is therefore understood that any action against American citizens in connection with the passport control should be taken with the concurrence of the American Consul of the respective district.

I avail myself [etc.] PAUL S. REINSCH

[Enclosure 2]

The Japanese Minister in China (Hayashi) to the American Minister in China (Reinsch)

PEKING, *May 13, 1918.*

MONSIEUR LE MINISTRE: In acknowledging the receipt of your Excellency's Note of April 24 last relative to the Regulations for the control of foreigners in the leased territory of Kwantung and the South Manchuria railway zone, I have the honor to inform Your Excellency, under instructions of my Government, that the authority exercised by them in the Japanese leased territory being the same as that in Japan, they find themselves to be unable to recognize the operation within the boundaries of that territory of extra-territorial rights acquired from China by foreign countries. My Government, therefore, consider it unnecessary to obtain the concurrence of the American Consul in the case of passport control.

In the South Manchuria railway zone, the extra-territorial rights of Americans are duly respected. The passport control under the new regulations, however, is in its nature nothing but an administrative measure based upon the Japanese police right on the railway zone, and it will be seen therefore that the matter has nothing to do with the question of extra-territorial rights of Americans in that zone.

I avail myself [etc.]

For Baron Hayashi:
M. YOSHIZAWA

[Enclosure 3]

The American Minister in China (Reinsch) to the Japanese Minister in China (Hayashi)

PEKING, *May 20, 1918.*

MR. MINISTER AND DEAR COLLEAGUE: I acknowledge herewith receipt of a letter signed on behalf of yourself by Mr. Yoshizawa and

dated May 13th last, in which he referred to the information I conveyed to you concerning the acquiescence of my Government in the application to Americans of the passport regulations of your Government, made temporarily expedient by the conditions of the war, as far as concerns Port Arthur leased territory and the South Manchuria railway zone.

I note the statement that the extra-territorial rights of Americans in the South Manchuria railway zone are duly respected, which I understand to mean that the passport control will be so exercised that no action will be taken against American citizens without concurrence of the American Consul of the respective district.

I avail myself [etc.] PAUL S. REINSCH

894c.111/11

The Secretary of State to the Chargé in China (Tenney)

No. 1070 WASHINGTON, *November 7, 1919.*

SIR: The Department has received your despatch of August 13, 1919,[28] asking for instructions as to the attitude of this Government towards the continuance of the application of Japanese passport regulations to American citizens within the zone of the South Manchuria Railway. In this connection you are referred to the Department's telegraphic instruction of April 19, 6 p.m. 1918, by which this Government acquiesced in the application of the Japanese passport regulations to American citizens entering Port Arthur Leased Territory and the zone of the South Manchuria Railway as a temporary expedient made necessary by the war. The Department understands that that arrangement, in so far as this Government is concerned, will become inoperative as soon as the treaty of Peace has been ratified by this country and Japan.

The Department holds the same views as regards the similar arrangement with the Russian Government on the Chinese Eastern Railway covered by the Department's telegraphic instruction to you of August 24, 3 p.m., 1917.[28]

I am [etc.]

For the Secretary of State:
ALVEY A. ADEE

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[28] Not printed

894c.111/12

The Secretary of State to the Minister in China (Crane)

No. 18 WASHINGTON, *June 24, 1920.*

Sir: The Department has received the Legation's despatch No. 3123 of December 11, 1919,[29] repeating the request of Minister Reinsch of August 13[30] for instructions as to the attitude of this Government towards the continued application of the Russian and Japanese war-time passport regulations on the South Manchuria and Chinese Eastern Railways.

While the Department's Instruction No. 1070 of November 7th [, 1919] on this subject contemplated an early ratification of the Peace Treaty by this Government the Department does not believe that ratification of the Peace Treaty by the United States should be considered as an absolutely necessary condition precedent to the termination of the application of the Russian and Japanese war-time passport regulations in their respective zones in Manchuria. You are therefore instructed to consult with your colleagues as to the opportuneness of the present time for dispensing with such war-time restrictions, and reverting to the normal status in which foreign nationals in China are subject in respect to passport requirements only to the provisions of the treaties between their own Government and that of China. In doing so you may inform your colleagues that it is the belief of this Government that the objects of passport control on the two railways under consideration have now been happily fulfilled making their continuance unnecessary.

For your information in this connection there are enclosed copies of the exchange of correspondence between the American Minister at Peking and his Russian and Japanese colleagues,[31] respectively, covering the arrangements for passport inspection on the Chinese Eastern and South Manchuria Railways.

I am [etc.]

For the Secretary of State:
VAN S. MERLE-SMITH

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[29] Not printed.

[30] Not printed; see instruction no. 1070, Nov. 7, 1919, to the Chargé in China, *supra*.

[31] Correspondence with the Russian Minister not printed; with the Japanese Minister, printed pp. 34–36.

894c.111/13a

The Secretary of State to the Ambassador in Great Britain (Davis)[32]

No. 824 WASHINGTON, *June 24, 1920.*

SIR: It will be recalled that in 1918, the Russian and Japanese Governments sought and received the assent of the Powers concerned to the institution of an exceptional system, for the duration of the war, for the control of the passports of persons traveling on the Chinese Eastern and South Manchuria Railways. Believing that the objects of such passport control, by the Russian and Japanese authorities, respectively, have now been happily fulfilled, this Government is instructing its representative in Peking to consult with his colleagues as to the opportuneness of the present time for dispensing with such war-time restrictions, and reverting to the normal status in which foreign nationals in China are subject in respect to passport requirements only to the provisions of the treaties between their own Government and that of China.

You are therefore instructed to request an expression of the views of the British Government on this matter and an indication whether it is disposed to instruct its representative at Peking in the sense that the present restrictions are no longer necessary.

For your information in this connection there are enclosed copies of the exchange of correspondence between the American Minister at Peking and his Russian and Japanese colleagues,[33] respectively, covering the arrangements for passport inspection on the Chinese Eastern and Southern Manchuria Railways.

I am [etc.]

For the Secretary of State:
VAN S. MERLE-SMITH

894c.111/12 : Telegram

The Acting Secretary of State to the Minister in China (Crane)

WASHINGTON, *October 7, 1920—3 p.m.*

268. Referring to Department's despatch No. 18 of June 24, 1920, concerning temporary war-time passport control on the Japanese and Russian railways please telegraph result of your conferences with your colleagues in the premises.

DAVIS

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[32] The same, *mutatis mutandis*, on the same date, to the Ambassador in France as no. 535 (file no. 894c.111/12), to which apparently no reply was received from the French Government.

[33] Correspondence with the Russian Minister not printed; with the Japanese Minister, printed pp. 34–36.

894c.111/13 : Telegram

The Minister in China (Crane) to the Secretary of State

PEKING, *October 11, 1920—7 p.m.*
[Received October 11—6:25 p.m.]

313. Your 268 October 7, 3 p.m. Learn British Legation has received inquiry from the British Government and Great Britain heartily recommending abolition war time passport control as needless and irritating. French Legation in receipt of no instructions and acquiesce in the continued Japanese control. This is quite in line with French Legation's present pro-Japanese policy. If [*May*] not I address note to Japanese Minister referring to letter of Reinsch to Hayashi April 24th, 1918 and state that the American Government meant termination of the war which made control temporarily expedient, now considers control terminated and is so advising American consular officers and American travellers.

It is respectfully suggested that Hayashi's statement May 13, 1918 paragraph two constitutes infringement American treaty rights and should be protested on the ground that Japanese have no right to exercise police or passport jurisdiction over Americans in railway outlets.

[CRANE]

894c.111/14 : Telegram

The Minister in China (Crane) to the Secretary of State

PEKING, *October 25, 1920—5 p.m.*
[Received 12:55 p.m.]

343. Legation's October 11, 7 p.m. British Legation states that its instructions permit it to join American Legation in nearly identic notes to Japanese Minister and Chinese Foreign Office stating that it could no longer acquiesce in application of Japanese passport regulations. Am advised French Legation does not expect its instructions will permit it to participate. Am I authorized to take similar action?

CRANE

894c.111/15

The Chargé in Great Britain (Wright) to the Secretary of State

No. 3655 LONDON, *October 26, 1920.*
[Received November 6.]

SIR: I have the honor to acknowledge the receipt of the Department's instruction No. 824 of June 24, 1920, in regard to the pro-

posed abolition of the special system established during the war for the purpose of controlling the passports of persons traveling on the Chinese Eastern and South Manchuria Railways.

In reply I have the honor to transmit herewith, for the information of the Department, a copy of a memorandum dated October 20, 1920,[84] in which the Foreign Office informs me that the British Government concur in the suggestion of the United States Government that the special control should now be discontinued. The Foreign Office adds that instructions to that effect have been sent to the British Chargé d'Affaires at Peking, who has been directed to act in concert with his colleagues.

I have [etc.] J. BUTLER WRIGHT

894c.111/14 : Telegram

The Acting Secretary of State to the Minister in China (Crane)

WASHINGTON, *October 28, 1920—6 p.m.*

301. Your 343, October 25, 5 p.m.

Although similar independent action by the British Legation would be welcome, it is not felt that joint action would be desirable. You may explain this to your British colleague and separately inform the Japanese Minister that this Government believes that reasons for continuance of temporary wartime passport inspection on Japanese railways in China have now ceased to exist and that it therefore desires to discontinue its temporary acquiescence in the application of Japanese passport regulations to American citizens on Japanese managed railways in China.

DAVIS

894c.111/16 : Telegram

The Minister in China (Crane) to the Secretary of State

PEKING, *November 6, 1920—6 p.m.*

[Received 9:25 p.m.]

360. Your Oct. 28, 6 p.m. Following is text my note to Japanese Minister:

"I have the honor to refer to note addressed by Dr. Reinsch to Baron Hayashi on April 24th, 1918 by which was conveyed my Government acquiescing in the application to American citizens in the South Manchurian Railway zone of certain passport regulations of the Japanese Government made temporarily expedient by the condition of the war. I am directed to inform Your Excellency that, as

[84] Not printed.

my Government [is] convinced the reasons for the continuance of this temporary war time inspection on Japanese railways in China have now ceased to exist, it therefore desires to discontinue its temporary acquiescence in application to [*of*] Japanese passport regulations to American citizens on Japanese managed railways in China. I am accordingly taking steps to inform American consuls of the withdrawal of American Government acquiescence in the further application of these regulations".

Japanese Minister stated he has referred matter to his Government; it is not known whether Japanese Government will consent. Japanese Minister takes the stand American Government did not assent to these regulations but was merely informed of them. He requests that the Legation's notification to consuls be postponed until matter has been considered by his Government, as otherwise conflicts are certain to arise. I have consented to defer action pending receipt of Department's further instructions.

CRANE

894c111/16 : Telegram

The Acting Secretary of State to the Minister in China (Crane)

WASHINGTON, *December 9, 1920—7 p.m.*

365. Your 360, November 6, 6 p.m. Department approves your note to the Japanese Minister.

Please telegraph whether or not Japanese Legation in its note of April 6, 1918,[35] to the American Legation did not request temporary acquiescence in passport control on South Manchuria Railway.

DAVIS

894c.111/17 : Telegram

The Minister in China (Crane) to the Acting Secretary of State

PEKING, *December 14, 1920—6 p.m.*
[Received December 14—1:22 p.m.]

434. Your 365, December 9, 7 p.m. Japanese Legation in its note of April 6th, 1918, stated "that the Government of Kwantung issued under date of March 20th, 1918, regulations for the control of the entry of foreigners into the leased territory of Kwantung and the railway zone of South Manchuria Railway. They are exactly the same in my estimate as the regulations regarding the entry of

[35] Apparently not forwarded to the Department.

foreigners into Japan which formed the subject of Mr. Yoshizawa's note of January 28th, 1918. The new regulations took effect immediately upon their publication"

Legation's reply of April 24th, 1918, gives acquiescence for regulations "made temporarily expedient by the conditions of the war"

Legation has received no formal reply to its note of November 2nd, see my 360 November 6, 6 p.m. I will delay notifying consuls of the cessation of American acquiescence pending further explicit instructions from the Department.

CRANE

REFUSAL BY AMERICAN SCHOOLS IN KOREA TO ASSIST THE JAPANESE POLICE IN PUNISHING POLITICAL AGITATION AMONG THE STUDENTS

895.00/676

The Consul General at Seoul (Miller) to the Acting Secretary of State

No. 21 SEOUL, *March 6, 1920.*
[Received April 6.]

SIR: I have the honor to report that March first, the anniversary of the beginning of the independence demonstrations of last year, passed off with comparative quiet in Seoul and its neighborhood, owing to the elaborate precautions taken by the police to anticipate and promptly to check any manifestations of disturbance. There are reports in circulation of considerable agitation in other parts of the country, such as Pyeng Yang, but no definite information is as yet available.

The chief difficulty in Seoul has been with the students of some of the schools, and particularly with those of two missionary institutions,—the Methodist (South) Girls School and the Methodist (North) Boys School, the American principals of which have been dismissed by order of the Government authorities.

Some time last week the principals of all the private schools in this province were summoned to the Governor's office and ordered to caution their students and the students' parents against any kind of demonstration on March first, since the authorities were determined to deal very strictly with any offenders. This instruction was, I believe, generally complied with except in the case of the principal of the Methodist (South) Girls School who was under the impression that to take such action would be equivalent to interfering in political matters which she understood that she, as an American citizen, had no right to do. The general tenor of my advice to those who consulted me on the subject is indicated by the enclosed

copy of a personal letter to Mr. Wasson, principal of the Methodist (South) School at Songdo.

On Monday morning police and educational inspectors were stationed at the various schools to observe proceedings. At the Methodist (South) Girls School, one of the girl students from the dormitory, before school opened, shouted "Mansei" and was joined by others. The police and educational inspectors immediately stepped in, shut the girls in the dormitory and proceeded to investigate. Miss B. A. Smith, was summoned to the Governor's office and ordered to discover and expel the ringleaders in the movement. Miss Smith took the position that she was ready to proceed with the investigation and punishment of the girls insofar as their conduct was an infringement of school discipline; but that insofar as it was a political offence she felt that it was beyond her proper province as an American teacher; that, in any case, the inspectors had taken the matter out of her hands and made their own investigations; that she would abide by the results of their investigation and expel from the school any whom they indicated were guilty. This was not considered satisfactory, however, and on Thursday, (March 4) some twenty five girls were marched to the police station and examined during the day, all but six being allowed to return to their homes by night. On the same evening Miss Smith received from the Governor an official notification that her permit as principal of the school was cancelled. Her case was somewhat prejudiced by the fact that she had not warned her pupils in advance when instructed to do so.

At the Methodist (North) Boys School the course of events was somewhat different. The principal of the school, the Reverend H. D. Appenzeller, who had been in charge for only a few weeks, took the preliminary instruction of the Governor seriously and solemnly warned his students and teachers against any demonstration. On Monday morning, March first, a large majority of the boys attended school but in the afternoon they absented themselves in a body.

On the following (Tuesday) morning, the students again attended and were told by the principal that they would be punished for their breach of school discipline. During the noon recess there was shouting in the streets outside the school grounds and the boys took up the shout. There is a difference of testimony as to whether they actually shouted "Mansei", or simply something that sounded like it. At any rate, a cordon of about fifty police closed in round the school, confined the students, principal and faculty in one of the school buildings and then for about four hours endeavored to induce or compel the principal to proceed with the investigation as to the ringleaders. Mr. Appenzeller intimated his readiness to proceed as principal of the school with the investigation and disciplining of the students

provided the police and other authorities would withdraw and leave him free to do so; but he objected to being compelled to proceed at once with the investigation as matters stood, and insisted that inasmuch as the police and school authorities had assumed charge of the situation, his responsibility as principal was superseded and that it was for the authorities to proceed with their investigation, the results of which he would abide by and expel such students as were found guilty. Finding him unshakeable in this determination, the authorities finally proceeded with the investigation on the spot, as a result of which fourteen boys were held for further examination, the others being released about midnight. On Thursday evening Mr. Appenzeller was also formally notified of the cancellation of his permit as principal.

I have been in constant communication with the interested parties and the officials of the Government General in this matter; and while strongly insisting with the former that they should scrupulously comply with the regulations, I have emphasized with the latter the importance of a reasonable interpretation and application of the regulations. The issue has been somewhat clouded by what seems to me the misunderstanding of many of our missionaries that any action on their part in matters where political offences were concerned would be contrary to the instructions of our Government against interfering in political affairs. In the case of Mr. Appenzeller, however, the point seems clearly defined; and I am inclined to agree with his contention that when the police took physical control of the situation by placing the school and faculty under detention, the responsibility for further investigation, under those conditions, rested with the Government authorities; and that the latter were not justified in endeavoring to force Mr. Appenzeller to act, under those conditions, as an agent of the police in uncovering what they regarded as a political offence.

I fear that the action of the authorities in this matter is bound to have regrettable results; but I am using my utmost endeavor to arrive at some common understanding which will permit the work of the schools to go on unhindered.

I have [etc.]

RANSFORD S. MILLER

[Enclosure]

The Consul General at Seoul (Miller) to the Reverend A. W. Wasson, of the Southern Methodist Mission, Songdo, Chosen

SEOUL, *February 27, 1920.*

DEAR MR. WASSON: I have been thinking over our conversation of Wednesday last and in view of the seriousness of the situation

I hope you will have clearly in mind the distinction between your personal rights as an American citizen, guaranteed by treaty,—such as freedom of residence, travel and religious belief—and your rights as principal of a school established and conducted in accordance with the local regulations. As to the latter I think it is clear that, in the absence of any treaty stipulation to the contrary (and I know of none), the local regulations must control and that the school, if continued, must be conducted in accordance with a reasonable interpretation of those regulations.

This word of caution may be entirely uncalled for; but I felt that I ought, in candor, to write you and to suggest that you again consider the matter carefully as I know you have already done. It is now quite evident, from recent informal conversations confirming the public announcements, that the authorities are determined henceforth to enforce the school regulations rigorously; and whatever we may think of the wisdom of that policy I think we must recognize that the decision and the authority rest with them.

With all best wishes [etc.] RANSFORD S. MILLER

895.00/677

The Ambassador in Japan (Morris) to the Acting Secretary of State

No. 532 TOKYO, *March 18, 1920.*
[Received April 5.]

SIR: Referring to Mr. Consul General Miller's despatch No. 21 dated at Seoul on the 6th instant, with regard to the political agitation on March 1st, I have the honor to report that Mr. Miller forwarded a copy to me requesting an expression of my views in the matter, and to transmit herewith enclosed a copy of my reply dated March 18th, for the Department's information.

I have [etc.] ROLAND S. MORRIS

[Enclosure]

The Ambassador in Japan (Morris) to the Consul General at Seoul (Miller)

TOKYO, *March 18, 1920.*

SIR: I beg leave to acknowledge the receipt of your despatch of the 6th instant, transmitting a copy of your report No. 21 of the same date to the Department, with regard to the political agitation in Seoul on March 1st and the attitude of the Japanese authorities to mission schools. You asked for an expression of my views in the matter as you anticipate that similar questions might arise in other mission schools.

I have shown your report to the Department, to Bishop Welch, and have also talked to Mr. Appenzeller, the Principal of the Boys' School who was dismissed by order of the government authorities, and have gone into the questions involved at considerable length. Bishop Welch has during the past few days been in confidential touch with Baron Saito, the Governor-General who is now in Tokyo, and has by request submitted to the Governor-General a memorandum, of which a copy is enclosed herewith, covering future policy toward mission schools in Korea. The Bishop believes that he will be successful in settling the Appenzeller case but has no jurisdiction to discuss the Smith or Mowry cases.

If you should be called upon to take any action on this general question it occurred to me that you might use Bishop Welch's memorandum as the basis of a general and informal agreement on the policy to be pursued to [*by?*] the American mission schools. As I view the question it is one which should not be permitted to go to issue if an informal working policy can be devised.

I should feel obliged if you would be so good as to inform me of the safe receipt of this despatch.

I am [etc.] ROLAND S. MORRIS

[Subenclosure]

Memorandum by Bishop Herbert Welch, of the Methodist Episcopal Church, Concerning Plan Proposed for Avoiding Difficulty in Mission Schools

We recognize clearly that the principals in our Mission Schools, whether Americans or Koreans, are under obligations to comply with the laws and regulations concerning school management. In assuming the position of principal they assume also these obligations.

We understand that under Japanese law and practice the principal is expected to deal with cases of disorder and misconduct occurring among the students as a body, especially in the school buildings or on the school grounds. I am sure that our principals are ready without question to meet this obligation in any cases of wrong doing.

It will readily be seen, however, that where any political question is involved, in which foreigners must not interfere, it is impossible for a principal to take an active part in searching out offenders in such cases without seeming to the people to take an attitude of unkindness to them. He is here to help build the Korean people up into a better citizenship, and his work among them is weakened or made altogether useless if he loses their confidence and affection.

Assuming, as I do, that the wish of the Government-General is to have us continue our school work and give such assistance as we

can in the mental and moral upbuilding of the people, I believe that the authorities will stand ready to do anything which will render our work easier or more effective—so far as that can be accomplished without prejudice to the rights of the State.

If they should insist on the principals of the Mission Schools taking part with the police or even taking the place of the police in investigating semi-political offenses, they would seriously embarrass our endeavors. I ask therefore that the authorities show their friendliness to our work by relinquishing their technical rights in this particular case. Under these peculiar circumstances, could we not have an understanding that the police will deal directly with the students in cases of any future difficulty and allow the principals to confine their activities only to matters of school administration and school discipline? If we can receive this assurance it will greatly relieve the minds of the missionaries and it will greatly please our friends at home.

895.00/677

The Secretary of State to the Ambassador in Japan (Morris)

No. 313 WASHINGTON, *April 9, 1920.*

SIR: Receipt is acknowledged of your despatch No. 532 of March 18, 1920, enclosing a copy of your despatch to Consul General Miller in which you comment on the situation described by him in his despatch No. 21 to the Department, a copy of which he sent to you.

The Department approves of your suggestion to Mr. Miller in regard to the use of Bishop Welch's memorandum as the basis for a general and informal agreement on the policy to be pursued in regard to American Mission schools. It also agrees with your view that the question is one which should not be permitted to go to issue if an informal working policy can be devised.

A copy of this instruction is being forwarded to the Consul General at Seoul.

I am [etc.]

For the Secretary of State
ALVEY A. ADEE

895.00/683

The Consul General at Seoul (Miller) to the Secretary of State

No. 36 SEOUL, *June 12, 1920.*
[Received July 21.]

SIR: Referring to my despatch No. 21 of March 6 last on the subject of the political agitations here on March 1 and the summary

dismissal of the foreign principals of certain missionary schools, I have the honor to report that, as the result of a number of informal conferences here and in Tokyo, Mr. H. D. Appenzeller has now, with the approval of the Governor General, been re-instated as a teacher in the Methodist Boys School. It is understood that this step prepares the way for his ultimate re-instatement as principal of the school, should his mission desire him to resume his duties as such.

This considerate action on the part of the Governor General, Baron Saito, has made a favorable impression on the foreign community here, particularly with those who felt that Mr. Appenzeller had not been fairly treated by the subordinate officials of the Government General.

I have [etc.] RANSFORD S. MILLER

LIBERIA

ELABORATION OF A FINANCIAL PLAN FOR LIBERIA, AS A BASIS FOR THE LOAN CREDIT OF $5,000,000 FROM THE UNITED STATES TREASURY—DISSATISFACTION OF THE LIBERIAN GOVERNMENT WITH THE DRAFT OF THE PLAN [1]

882.51/1035b : Telegram

The Secretary of State to the Minister in Liberia (Johnson)

WASHINGTON, *December 20, 1919—2 p.m.*

Disregard Department's urgent December 19, 5 p.m.[2] Should read as follows: Following departure for Monrovia of Mr. Worley,[3] who has been acting as Fiscal Agent, it will be necessary for Republic of Liberia to authorize an agent to receive on its behalf and to pay out for the purposes agreed upon with the United States Treasury such advances as shall be made by the United States Treasury.

The National City Bank acts as Fiscal Agent for the Loan of 1912.[4] Please ascertain if it is agreeable to Liberian Government to have National City Bank act as Fiscal Agent for Liberian Government to receive the above mentioned advances from the United States Treasury.

LANSING

882.51/1036 : Telegram

The Minister in Liberia (Johnson) to the Secretary of State

MONROVIA, *December 23, 1919—4 p.m.*

[Received 7:33 p.m.]

Communicated Department's December 10 [*20*], 2 p.m. to Liberian Government. In reply Legation advised that it is agreeable to Liberian Government that National City Bank act as Fiscal Agent of Liberia for advances which may be made the Republic from the United States Treasury and that Liberian Government would be pleased to have Department approach bank on this matter in its behalf.

JOHNSON

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[1] For previous correspondence concerning the financial affairs of Liberia, see *Foreign Relations*, 1919, vol. II, pp. 464 ff.

[2] Not printed.

[3] Harry F. Worley, General Receiver and Financial Adviser to the Republic of Liberia.

[4] See *Foreign Relations*, 1912, pp. 667 ff.

882.51/1051

The National City Bank to the Secretary of State

NEW YORK, *January 22, 1920.*
[Received January 23.]

SIR: We acknowledge receipt of your letter of January 21st [4] referring to a conversation which recently we had with Mr. Scully of the Division of Western European Affairs, relative to the National City Bank of New York acting as Fiscal Agent in the United States for the Republic of Liberia, and requesting us now to advise you whether it is agreeable to us to act in such capacity and on what terms such representation will be assumed.

In reply we would say that it will give us pleasure to undertake the duties of Fiscal Agent in the United States for the Republic of Liberia. It is our understanding that in such capacity we will have deposited with us funds which the United States contemplates advancing to the Republic of Liberia under the arrangement of September 1918, and that from time to time we shall make, for the Liberian Government, disbursements therefrom. On the balance maintained with us under this arrangement we will allow interest at the rate of 2½ per cent per annum. We understood from Mr. Scully that all disbursements would only be made with the approval of some official of the State or Treasury Department acting for the United States. On this point we would like to be clearly advised.

You are aware, we assume, that the National City Bank of New York was constituted as Fiscal Agent for the Republic of Liberia in 1912 in connection with the Loan Agreement of that period and since that time has attended to the receipt and disbursement of funds for account of coupon and Sinking Fund payments on the bonds issued under the Loan Agreement of 1912. For this service we have made a charge of one half of one per cent on the amounts received less commissions paid to foreign bankers for paying coupons at their respective points, and we assume that this arrangement will continue until the said funds are retired.

We wish to express, Mr. Secretary, our appreciation of your letter of the 21st inst. and await your further instructions in the matter.

Respectfully,

THE NATIONAL CITY BANK OF NEW YORK
By R. L. FARNHAM, *Vice President*

[4] Not printed.

882.51/1056

The Secretary of State to the National City Bank

WASHINGTON, *February 13, 1920.*

GENTLEMEN: The receipt of your letter of January 22, 1920, is acknowledged and I note with pleasure that you consent to act in the capacity of fiscal agent in the United States for the Republic of Liberia.

You inquire regarding the securing the preliminary approval of this Department or the Treasury Department before making disbursements in this connection. In reply you are advised that it is desired that this Department be given an opportunity, before each disbursement is made by your Bank as fiscal agent for Liberia, to express its objection in case any should exist.

I am [etc.]

For the Secretary of State:
ALVEY A. ADEE
Second Assistant Secretary

882.51/1072 : Telegram

The Minister in Liberia (Johnson) to the Secretary of State

MONROVIA, *February 28, 1920—8 a.m.*
[Received 9:13 p.m.]

25. Act of January 22, 1919,[5] passed at the instance of Department, to authorize President of Liberia to accept proffered loan credit of $5,000,000 from the Government of the United States and to enter into such agreements et cetera as would make credit effective has been amended by joint resolution making it necessary that any agreements which President of Liberia may execute to render loan credit available shall be submitted to the Legislature for approval. Legation understands President has assented to demand of Legislature to be called in extra session to consider and approve such agreements and conditions as may be required of Liberia to release loan credit, if proposed financial plan reached here during recess of Legislature. Legation informed that amendment above mentioned was drafted and passed without reference to Financial Adviser.

Aside from needless expense extra session of Legislature would cause, no one can foretell what it would do if again assembled.

JOHNSON

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[5] For text of this act, see *Foreign Relations*, 1919, vol. II, p. 466.

882.51/1102

The Minister in Liberia (Johnson) to the Secretary of State

No. 63 MONROVIA, *March 17, 1920.*
[Received April 23.]

SIR: I have the honor to transmit herewith copy of a letter dated Feb. 25, 1920, from the Financial Adviser to the Legation urging that the loan credit to Liberia be made available as soon as possible and giving several reasons why further delay would make the local situation more difficult.

I have [etc.] JOSEPH L. JOHNSON

[Enclosure]

The General Receiver and Financial Adviser to the Republic of Liberia (Worley) to the Chargé in Liberia (Bundy)

[MONROVIA,] *February 25, 1920.*

SIR: Referring to my letter of January 28, I beg to suggest the advisability of making inquiry of the State Department as to the probable date when the American program and Financial Plan may be expected. Mr. Miller has a very indefinite, if any, status and I am very anxious to clarify the matter as it seems necessary that he should be commissioned and go down the coast to Bassa and Cape Palmas from where I hear very unfavorable reports.

The Loan-credit was established nearly a year and a half ago and I need not point out that had the money become immediately available Liberia was prepared to enter into any reasonable program or financial plan. Since that time there has been so much misrepresentation and intrigue by individuals and interested Governments that a ready acceptance of any financial program or plan is very doubtful. Every week's delay makes the situation even more doubtful.

In the meantime the revenues of Liberia available for the maintenance of Government have so increased that it is possible to maintain the Government on half salary without any additional financial assistance.

Recently very persistent rumors have been in circulation of loans offered to the Government of Liberia by France, Great Britain and Spain with little or no financial control. Manifestly, these offers are made for the purpose of discrediting the American Loan-credit. The terms of these loans are only stated in a general way but are quite liberal. It is rumored that the Spanish loan would be made with German money. If France and Great Britain should make the loan they would probably have to do so with borrowed money.

When I left Washington the Financial Plan was practically completed, except some amendments, which I understood would take a very short time.

I have [etc.] H. F. WORLEY

882.51/1087

The British Chargé (Lindsay) to the Secretary of State

No. 208 WASHINGTON, *April 6, 1920.*

SIR: With reference to recent verbal enquiries made by this Embassy as to the progress of the negotiations for the projected American Loan to Liberia, I have the honour to inform you that reports have reached my Government to the effect that the salaries and expenses of the American officials who have, it is understood, been sent to Liberia in connexion with this Loan, together with the cost of the orders for material placed in this country in anticipation of the conclusion of the Loan, are being defrayed on the authority of the American General Receiver and Financial Adviser to Liberia out of the funds of the Receivership.

I am instructed to bring this report to your notice and to ask that enquiries may be made on the subject since the report, if confirmed, would seem to point to an infringement of the Loan Agreement of 1912 under which the service of the loan is made a first charge on all customs receipts.

I have [etc.] R. C. LINDSAY

882.51/1087 : Telegram

The Secretary of State to the Minister in Liberia (Johnson)

WASHINGTON, *April 10, 1920—6 p.m.*

17. And for attention Worley.

British Embassy states it is reported that salaries and expenses of American officials in Liberia and cost of orders for material placed in this country in anticipation of conclusion of loan are being defrayed on Worley's authority out of funds of Receivership. Is this true, and are such payments made in strict accordance with Loan Agreement of 1912 by which expenses of Receivership and the service of the loan are made prior charges on assigned revenues? Explain fully.

COLBY

882.51/1096A

The Secretary of State to the Secretary of the Navy (Daniels)

WASHINGTON, *April 17, 1920.*

SIR: Adverting to my letter of March 18, 1920,[6] in which I indicated the desirability of a United States warship visiting the port of Monrovia for approximately one week, I now take the opportunity to express to you further the urgency of having a naval vessel despatched to that port. I am cognizant of the fact that it would be inadvisable at this time to withdraw a ship to be used for this purpose from Central American waters. It is felt, however, that by the action requested the critical political situation which has existed for several months in the Republic of Liberia might be extensively improved and the propaganda and other means employed by foreign representatives to disturb the friendly relations which have for over one hundred years existed between the Republic of Liberia and the United States Government might be effectively countered.

I appreciate fully the statement made by you at a recent conference held with a representative of this Department relative to a shortage of ships in condition for sea, but regret that I now feel constrained to inquire urgently whether directions can be given to despatch a vessel, if no other ships be available, from the training grounds at Guantanamo Bay to the port of Monrovia.

In cooperation with the Treasury Department, a Financial Plan under which it is proposed to make available a loan credit of several million dollars extended to the Republic of Liberia during the war has recently been drafted, and permission is requested to send this document to the American Minister Resident and Consul General to the Republic of Liberia in the custody of the commanding officer of the ship, which it is hoped you will be able to send to Monrovia.

Since the matter evidently is one of much urgency, I should be very grateful to learn your views in connection with the foregoing at your early convenience.

I have [etc.] BAINBRIDGE COLBY

882.51/1092

The Secretary of State to the Minister in Liberia (Johnson)

WASHINGTON, *April 17, 1920.*

(Attention of Mr. H. F. Worley, General Receiver and Financial Adviser to the Republic of Liberia)

SIR: There is enclosed herewith a draft of a Financial Plan to be submitted to this Government by the Government of Liberia as

[6] Not printed.

a preliminary to the making of advances under the loan credit established in favor of Liberia by the Treasury Department of the United States.

If Mr. Worley finds no objection to the draft plan you should call upon President King, accompanied by Mr. Worley, and present the text of the draft plan to the President advising him that before any advances can be made on behalf of the Liberian Government from the Loan Credit, this Government must receive from the President of the Republic a formal request therefor embodying the provisions of this draft of Financial Plan copied on the official stationery of the Liberian Government.

In connection with the foregoing, your attention is called to the Department's telegram No. 18 of April 15, 6 p.m.,[7] a copy of which is attached herewith. The Depositary Agreement,[7] the Amended Reform Program,[7] and the Agreement Regarding Functions and Authority of Receivership Officials in Liberia[8] are in course of preparation and will be forwarded at an early date.

I am [etc.] BAINBRIDGE COLBY

[Enclosure]

Draft of a Financial Plan To Be Proposed by the Republic of Liberia

The Republic of Liberia having made urgent representations, through the Department of State of the United States, to the Secretary of the Treasury of the United States, that being then engaged in war with enemies of the United States, it required as a war measure the establishment of a credit of $5,000,000, and this credit of $5,000,000 having been established by the Secretary of the Treasury of the United States September 9, 1918, in favor of the Republic of Liberia upon certain conditions which it is understood were set forth by the Secretary of the Treasury of the United States to the Department of State of the United States, the Republic of Liberia desires that funds be made available to it against said credit to be used to the extent and for the purposes set forth in such understandings.

ARTICLE I

The Republic, therefore, proposes the following Financial Plan and requests the Secretary of the Treasury of the United States to make to the Republic against the above-mentioned credit, the following advances for the purposes set forth below against the

[7] Not printed.
[8] See telegram no. 31, July 12, 1920, to the Chargé in Liberia, p. 71.

duly executed obligations of the Republic delivered as hereinafter provided.

1. $1,600,000 or such less amount as may be necessary for the purpose of enabling the Liberian Government to purchase or redeem all of its bonds now issued and outstanding, representing the 5% Sinking Fund Gold Loan, due July 1, 1952, under the Agreement for Refunding Loan dated March 7, 1912, between the Republic of Liberia, of the first part, and J. P. Morgan and Company, Kuhn, Loeb and Company, The National City Bank of New York and First National Bank of New York, acting for themselves and for Robert Fleming and Company, Banque de Paris et des Pays Bas, M. M. Warburg and Company, and Hope and Company, and for others, of the second part, including such payments of interest, costs of notices and other payments or deposits, including payments which may be due from the Republic under the Fiscal Agency Agreement dated March 7, 1912, between the Republic of Liberia, of the first part, and The National City Bank of New York, of the second part, as shall be necessary to terminate all obligations of the Republic under all of said bonds or under the Agreement for Refunding Loan or the Fiscal Agency Agreement above mentioned, and as shall entitle the Republic in accordance with the terms of said Agreements to the cancellation and destruction of all of said bonds held by the Fiscal Agents in the sinking fund mentioned in said agreements. Advances for this purpose to be made at such times and in such amounts as shall hereafter be agreed between the Liberian Government and the Secretary of the Treasury.

2. $15,000 or such less amount as shall be sufficient to enable the Liberian Government to pay forthwith the interest due and unpaid on the internal funded debt of the Republic, and the instalments due and unpaid of the sinking fund thereof.

3. $315,000 or such less amount as shall be sufficient to enable the Liberian Government to pay its internal floating debt.

4. The amounts, as certified as of March 31 and September 30 of each of the five fiscal years of the Republic ending on or before September 30, 1924, by the Financial Adviser by which the revenues and receipts of the Government of Liberia whether collected by the Government or by the Receivership mentioned below for the half fiscal year ending on each of said dates arising from all sources (other than advances from United States Treasury) together with any available surplus funds held by or for the Government of Liberia shall be less than the aggregate amount for such half fiscal year of (*a*) the costs and expenses of the collection, administration and application by such Receivership as shall have been established of the

revenues and receipts collected by such Receivership, (*b*) the costs and expenses of such Receivership Administration, (*c*) the current administrative expenses of the Government of Liberia, including the interest and sinking fund of the internal funded debt above mentioned, in accordance with the Budget and Appropriation Acts of the Government of Liberia, approved as provided in this plan and (*d*) the interest due, as hereinafter provided, from the Government of Liberia to the Government of the United States on Liberia's obligations heretofore delivered to the United States. For the purpose of ascertaining the amount of any advance to be made by the United States Treasury, under the provisions of this paragraph, the total expenditures by the Government of Liberia for any fiscal year under clauses *a*, *b*, and *c* above shall not in any event be reckoned at a sum greater than $400,000.

5. Such amounts within the authority of the Treasury to advance the same as may be necessary to enable the Government of Liberia with the approval of the Financial Adviser above mentioned to make necessary improvements in transportation facilities, etc., as may be agreed upon between the Government of Liberia and the Secretary of the Treasury of the United States.

The Republic requests that advances under clauses 2, 3, 4, and 5 above be made at such times, in such amounts and for such purposes as shall be agreed upon between the Government of Liberia and the Secretary of the Treasury of the United States. All requests from the Government of Liberia for advances hereunder, will have the approval of the Financial Adviser above mentioned. Requests for advances under clauses 2 and 3 above will be contained in certificates made by the Secretary of the Treasury of Liberia, bearing the counter-signature of the said Financial Adviser, and setting out the amount of the advance requested, the purpose for which requested, the names of the creditors to be paid, the amounts of principal and interest proposed to be paid them, that such indebtedness is a valid debt of the Government of Liberia, that said Financial Adviser has made inquiry into the circumstances of the creation of such debt and is of the opinion that the amount proposed to be paid by the Government of Liberia in discharge thereof is the lowest amount for which said Government can justly settle the same. Requests for advances under clause 5 above, will be contained in certificates of the Secretary of the Treasury of Liberia, countersigned by said Financial Adviser setting out the amount of the advances requested, the goods or services for which the advances are required, and that the same have been delivered or rendered or will have been delivered or rendered by the dates respectively on which advances are so requested to be

made, or that payment in respect thereof in the amount requested will be due on such date under a contract for the same made with the approval of said Financial Adviser.

ARTICLE II

The Government of Liberia requests that advances hereunder be made against delivery of obligations in a form approved by the Secretary of the Treasury of the United States in a corresponding amount and bearing interest at the rate of 5% per annum. Such obligations will be executed by a person duly authorized to execute such obligations in the name and on behalf of the Government of the Republic of Liberia. The form and execution of such obligations will be satisfactory to the Secretary of State and the Secretary of the Treasury of the United States. The Government of Liberia has heretofore delivered to the Secretary of the Treasury of the United States such an obligation duly executed in the name of the Republic of Liberia in the amount of $2,500,000, on the understanding that interest upon said obligation will not be charged until advances are made to Liberia in accordance with the requests and certificates above mentioned, so that interest shall be collected on such obligation only on amounts which the Secretary of the Treasury shall advance, and only from the respective dates when such advances are made. The Republic of Liberia requests that on October 1, 1924, if the full face amount of said obligation shall not have been advanced to the Republic, either the obligation be endorsed with a notation stating the total amount of the advances so made, and that not more than said sum is payable on said obligation, or said obligation be exchanged for another obligation of the Republic, duly executed in its name and of like tenor, except as to the amount which shall be the amount of the advances made to the Republic less such sums as shall have been repaid. If the principal and interest of all the advances made to the Republic against any obligation of the Republic held by the United States Treasury, shall have been repaid on or before October 1, 1924, the Republic requests that said obligation on said day, or as soon thereafter as may be, be cancelled and surrendered to the Republic or its duly accredited agent. At any time the Government of Liberia will at the request of the Secretary of the Treasury exchange for any obligations of said Government held by the United States Treasury, an equal aggregate face amount of other obligations duly executed in the name of the Republic in such form as shall be agreed upon by the Republic and the Secretary of the Treasury of the United States.

The Republic of Liberia requests that advances made hereunder be paid in the United States to such Fiscal Agent as shall be designated to the Secretary of State of the United States, by the Republic of Liberia, as being authorized on behalf of the Government of Liberia and in its name to receive such advances and to dispose of the same.

The Government of Liberia agrees that all advances so paid to the Fiscal Agent shall be used for the purposes for which such advances were made and that the Fiscal Agent will be directed to remit to the Depositary hereinafter mentioned in Liberia, except as hereinafter provided, all funds advanced in accordance with requests made under Clauses 2, 3, 4 and 5 above, insofar as the advance so requested shall be necessary for use in Liberia. To the extent that advances so requested are required for use in the United States, the Fiscal Agent will be directed to apply the same to payments in the United States for which such advances shall have been requested. If to any certificate above mentioned requesting an advance shall be added the certificate of the General Receiver that he has in his hands in an amount specified in such certificate funds which under the terms hereof he is bound to remit to the Secretary of the Treasury of the United States and requests that the Secretary of the Treasury of the United States credit the corresponding amount in dollars as interest or principal upon obligations of the Republic held by the United States, as the case may be, the Republic of Liberia requests that the Secretary of the Treasury of the United States credit the amount in accordance with such request and charge the same as an advance to the Republic under the provisions of this plan. Upon receipt by the General Receiver of advice from the Secretary of the Treasury of the United States that said sum has been credited in accordance with his request the General Receiver shall deposit the corresponding amount with the Depositary to be applied as an advance from the Secretary of the Treasury of the United States made in accordance with the certificate of the Secretary of the Treasury of the Republic. The Government of Liberia will as nearly as may be on the first day of each month, pay to the Secretary of the Treasury of the United States an amount equal to the interest accrued and unpaid to the end of the preceding month on advances made to it by the Secretary of the Treasury of United States, and at the same time will also pay to the Secretary of the Treasury of the United States on account of the principal of such advances, one half of the remainder of all revenues and receipts of the Liberian Government whether collected by such Government or said Receivership from whatever source arising after the payment as they arise,

of all costs and expenses of collection and administration of the revenues and receipts of the Government of Liberia, including the salaries of said Financial Adviser and General Receiver, and his American Assistants, the salaries of the employees of the revenue service, either customs or internal, and costs and expenses of maintaining a frontier force, and any other expenditures whatsoever connected with the administration of any Receivership of Revenues approved by the Government of the United States, and after the setting aside of such sums as may in the judgment of said Financial Adviser be necessary to enable the Liberian Government to pay as they become due the current administrative expenses of the Government including the service of the internal funded debt, (but not in any year more than the sum provided for current administrative expenses of the Government in the Budget and appropriation acts of the Government of Liberia prepared and adopted in a manner satisfactory to the Department of State of the United States) and the payment of interest on United States advances as above mentioned.

The obligations representing the United States Loan will always be payable in United States gold and will be exempt, both as to principal and interest, from all taxes already established by or within the Republic or that may in future be established by or within the Republic by any authority.

Article III

The United States Loan shall constitute a direct liability and obligation of the Republic, which pledges its good faith and credit for the punctual payment of the principal and interest of the United States Loan, and agrees to incorporate in its annual budget of expenditures each year an amount which shall be sufficient to meet in full, for such year, all amounts required for, or incident to, the service of the United States Loan, which term wherever used herein, shall be deemed to include the payment of all amounts which under the obligations at any time representing the United States Loan or under this Plan the Republic undertakes or may undertake, or is, or may be, required to pay in connection with the United States Loan, and whether for interest payments or on account of principal (hereinafter called "Redemption Payments") or expenses.

Article IV

The principal and interest of the United States Loan and the Redemption Payments and all other amounts required for, or incident to, the service of the United States Loan shall be and are hereby

secured as a charge, on all customs revenues received by the Republic on and after the first day of January, 1920, whether such customs be imposed on imports or exports, and on all revenues receivable on and after said date from the rubber tax and head moneys, and on all other revenues, dues, fees, commissions, taxes, fines, penalties, forfeitures, reimbursements, refunds, royalties, rents, proceeds of sale of public land or other property and all other receipts of the Republic from whatever source arising and all sums which are now or which may hereafter become due and payable to the Republic arising out of claims which now exist or shall hereafter arise against individuals, associations, corporations or Governments or otherwise, and on all the rights of the Republic in or to the property of enemy aliens of the Republic or the proceeds of the sale of such property (hereinafter called collectively the "Assigned Revenues and Receipts"). The Republic grants, assigns and transfers the Assigned Revenues and Receipts and all thereof as security for the United States Loan.

The Republic represents and directs as hereinafter set forth:

(*a*) That for the purpose of securing the United States Loan the control during the life of the United States Loan of the administration and collection of all the Assigned Revenues and Receipts and the application of the Assigned Revenues and Receipts in accordance with this Plan of rehabilitation and development shall be vested irrevocably in a General Receivership of Revenue (hereinafter called the "Receivership Administration"), which shall be administered by a General Receiver and Financial Adviser, and under his direction by a Deputy General Receiver, two or more Receivers, an Auditor, a Commissioner General of the Interior, four or more District Commissioners, three or more military officers of the Liberian Frontier Force, hereinafter mentioned and also such other officials and officers as shall be necessary, (hereinafter when referred to collectively, called the "Administrative Assistants"). All officials and employees of the Receivership Administration shall be designated by the President of the United States and appointed by the President of Liberia, but the General Receiver may suspend without pay or temporarily appoint any of such officials or employees of the Receivership Administration, and such temporary suspensions or appointments shall remain in effect until said officials or employees are permanently removed or appointments are made as herein provided.

The General Receiver, through the Receivership Administration, shall collect, without the intervention of any Liberian official or citizen, and administer during the life of the United States Loan and in accordance with the terms of this Plan all the Assigned

Revenues and Receipts. The General Receiver shall have power to prescribe for the Republic and for any subdivision thereof or general or local governmental authority therein, such methods, rules and regulations for the collection, protection and administration of the Assigned Revenues and Receipts and of the revenues and receipts of any subdivision of the Republic or any general or local governmental authority therein as he may deem necessary and may fix penalties not inconsistent with the constitution and laws of Liberia for the violation of such rules and regulations.

The Republic, to assure the collection of the Assigned Revenues and Receipts and the enforcement of the laws, rules and regulations pertaining thereto, will place and maintain at the disposal of the Receivership Administration an adequate revenue guard and patrol service, both on land and sea, and will provide by law for the establishment of such revenue guard and patrol service and in the event of the failure on the part of the Republic so to provide, the General Receiver shall have power to establish such revenue guard and patrol service and may pay the expenses thereof out of the Assigned Revenues and Receipts. The duties of the revenue guard and patrol service may, with the approval of the General Receiver, be performed by the Frontier Force hereinafter mentioned. The Republic will also provide by law for the payment of all the Assigned Revenues and Receipts to the General Receiver and give to him all needful aid and assistance to the full extent of its power. All salaries and arrears of salary and expenses incident to the collection of revenues and maintenance of the Frontier Force will continue to be disbursed by the General Receiver on his sole order.

No customhouse may be opened or closed without the assent thereto of the General Receiver. The General Receiver shall make to the Secretary of the Treasury of the Republic and to the Secretary of State of the United States quarterly and annual reports of the Receivership Administration and of the collection and administration of the Assigned Revenues and Receipts. Such reports shall contain the accounts of the Receivership Administration in detail, and the accounts of the Receivership Administration shall be subject to examination and verification by the Republic at all reasonable times. The Republic will not in any manner interfere with the General Receiver or the Receivership Administration in the exercise of powers or the performance of duties as in this Plan provided.

(*b*) That the Assigned Revenues and Receipts shall, during the life of the United States Loan, be payable only in gold and the rates and amounts thereof shall not be decreased without the approval of the General Receiver, but may be increased so as to meet the expenses of the Receivership Administration, the service of the

United States Loan and the expenses of the administration of the Republic. The General Receiver is authorized forthwith, and from time to time hereafter, to prepare and to submit to the legislature for enactment into law a draft of a Bill revising the customs duties and other revenues and receipts of the Republic for the purpose of increasing the revenue and distributing more equitably the incidence thereof.

(*c*) For the further security of the Assigned Revenues and Receipts, the Republic will maintain a Frontier Force sufficient for the maintenance of internal peace within the territories of the Republic. All salaries, wages and other expenses of the Frontier Force shall be paid under the direction of the Republic by the General Receiver in discharge out of the Assigned Revenues and Receipts and shall be deemed a part of the expenses of the Receivership Administration.

(*d*) The General Receiver shall also exercise the functions of the Financial Adviser to the Republic and as such he is authorized to communicate directly with any official or branch of the Government of the Republic. The Secretary of the Treasury of Liberia and the Financial Adviser will cooperate to bring order and system into the finances of the Republic. Before the opening of each regular session of the Legislature of the Republic, the Secretary of the Treasury will prepare an itemized budget for the year which will contain a statement in detail of the probable receipts of the Republic for the ensuing fiscal year from all sources; of the amounts required during such fiscal year for the service of any outstanding government loan and all other amounts chargeable under existing laws or outstanding contracts or engagements of the Republic, or otherwise, in any manner against such receipts, and of the residue of governmental receipts estimated to be available for appropriation by the Legislature and of the items for which such residue is proposed to be appropriated. The budget when so prepared and approved by the Financial Adviser will be submitted to the Legislature of the Republic by the Secretary of the Treasury. No budget or appropriation act will be effective without the approval of the Financial Adviser. Inasmuch as the Republic hereinbefore requests the Secretary of the Treasury of the United States to meet the deficit of the current expenses of the Republic during a period of five years, the Financial Adviser shall not without the consent of the Secretary of State of the United States approve any budget or appropriation act in which the current expenses of the Republic, including the expenses of the Receivership administration and of the collection and administration of the assigned revenues and receipts and the

service of the internal funded debt, shall exceed in the aggregate the sum of $400,000 per annum.

The Republic will make annually appropriations for the costs and expenses of collecting the Assigned Revenues and Receipts, including expenses of the Receivership Administration, the service of the United States Loan and the administrative expenses of the Government, including the service of the internal funded indebtedness, of sums which shall be sufficient to meet in full for such year all amounts thereof which the Republic is required or ought to pay. Within ten days after the enactment of the budget, the Secretary of the Treasury will deliver to the Financial Adviser a copy thereof as enacted and a statement of all appropriations, regular and special, which shall have been made. The Financial Adviser, himself, or by such person as he may designate, and the Auditor shall have the right at any time and from time to time to examine and audit the books and accounts of the Republic and of any subdivision thereof or general or local governmental authority therein and may prescribe from time to time methods of accounting for public money and public property, and the Republic will forthwith adopt or cause to be adopted the methods so prescribed.

(*e*) All receipts and revenues of the Republic except as hereinafter provided will be deposited in a bank designated as the Depositary. All deposits made with said depositary and all payments made therefrom shall be in accordance with an agreement supplementary to this Plan, to be known as the Depositary Agreement.

(*f*) The General Receiver and Financial Adviser and the Administrative Assistants are hereby granted all power and authority necessary for the performance of their duties hereunder. The Republic will forthwith enact all legislation necessary to confirm said power and authority in the General Receiver and Financial Adviser and such Administrative Assistants and will give them all needful aid and support and full protection.

(*g*) Upon the termination of the life of the loan represented by the Five Per Cent Bonds, referred to in clause numbered one (1) of Article I of this Plan, the General Receiver and Financial Adviser hereunder shall be entitled for the benefit of the United States Loan to exercise all the powers and duties of the General Receiver and Financial Adviser as provided in the Agreement for Refunding Loan of 1912.

(*h*) The Assigned Revenues and Receipts shall be applied by the General Receiver as follows:

First: To the payment as they arise of all costs and expenses of collection and administration of the Assigned Revenues and Receipts,

including the salaries of the General Receiver and the Administrative Assistants, the salaries of the employees of the revenue service, either customs or internal, the cost and expenses of maintaining the Frontier Force and any other expenditures whatsoever connected with the Receivership Administration and all amounts incident to the service of the United States Loan except as to payments on account of principal and interest for which provision is hereinafter made.

Second: Thereafter to the payment as nearly as may be on the first day of each month for account of the Republic to the Depositary of such sums as in the judgment of the General Receiver may be necessary to enable the Republic to pay as they become due the current administrative expenses of the Republic including the service of the internal funded debt of the Republic, but not in any year more than the sum set forth as the estimate of current administrative expenses of the Republic in the budget of the Republic prepared and adopted as hereinabove provided.

Third: Thereafter to the payment as nearly as may be on the first day of each month to the Secretary of the Treasury of the United States of an amount equal to the interest accrued and unpaid up to the end of the preceding month on the United States Loan.

Fourth: Of the remainder, one-half shall be paid as nearly as may be on the first day of each month to the Secretary of the Treasury of the United States on account of the principal of the United States Loan.

Fifth: The other half of said remainder shall be applied so far as may be necessary to the payment of any other amounts which may through further agreement between the Government of the United States and the Republic of Liberia be provided to be paid by the General Receiver.

Sixth: The sums that may remain after the aforesaid payments have been made shall be applied as follows:—One-half shall be credited by the Depositary to an account hereinafter referred to as the Surplus Account, and the remaining one-half, to an account hereinafter referred to as the Improvements Account. Except as herein otherwise provided, the Surplus Account shall be subject to the sole order of the Republic. Moneys in the Improvements account shall be applied in so far as possible only for the improvement of Public Education in the Republic and for Public Works. Moneys shall be paid from this Account only with the consent of the Financial Adviser, and whenever and for so long a period as the General Receiver shall be of the opinion that the assigned revenues and receipts will be insufficient to meet the payments required to be made by Clauses First, Second, Third, Fourth, and Fifth of Article IV of this Fi-

nancial Plan, the Depositary shall cease paying out the moneys from either the Surplus Account or the Improvements Account and such funds may be applied by the General Receiver to meet the payments provided in Clauses First, Second, Third, Fourth, and Fifth of Article IV of the Financial Plan.

ARTICLE V

None of the provisions of this plan shall be deemed or construed to create any trust or obligation in favor of any holder of any of the outstanding obligations or indebtedness of the Republic or in favor of any owner of any coupons or claim for interest of or in respect of any thereof or in favor of any holder of any claim against the Republic.

ARTICLE VI

Wherever the term, "United States gold" is used in this Plan, such term shall be understood as meaning gold coin of the United States of America of or equal to the standard of weight and fineness existing at the date of this Plan. Wherever the term "United States" is used in this Plan, such term shall be understood as meaning the United States of America. The words "United States Loan" wherever used herein shall mean all advances, collectively, which the Secretary of the Treasury of the United States has heretofore made or which he may hereafter make to the Republic pursuant to this Plan. For the purpose of this Plan, the expenses incident to the service of the United States Loan shall include the remuneration and expenses of the Depositary and of the Fiscal Agent and the cost of remittances from the United States to the Republic and from the Republic to the United States, as the case may be, of funds for any of the purposes of this Plan, including the cost of shipping coin and currency to the Republic from the United States. The word "administer" as used in this Plan or in the Agreement for Refunding Loan of 1912 is intended to mean the effective control of the collection, deposit and expenditure of all Government revenues or property, in a preventive rather than in a corrective manner and, if necessary to effect economies, the disbursing of the same. The words "under direction of the Republic" as used in said instruments are intended to mean in accordance with the budget or Appropriation Act for such purpose. The words "in discharge" as used in said instruments are intended to mean that the money shall be paid directly to the person or firm to which such money is due or payable.

In construing this Plan, the life of the United States Loan shall be deemed to be the period from the date hereof until all of the advances at any time by the United States Treasury shall have been

fully paid with interest and all other undertakings on the part of the Republic in the obligations representing said advances and in this Plan contained shall have been satisfied.

Article VII

1. During the period of its indebtedness under this Financial Plan the security for the repayment of the United States Loan, as expressed in the territory and potential assets and utilities of the Republic, will not be impaired or reduced.

2. No act will be committed or omitted by Liberia which will tend to impair the independence of that Republic.

3. The Republic will not enter into any treaty, contract or agreement to alienate or convey title, jurisdiction or right to or over any territory or property of the Republic without the written assent of the Financial Adviser.

4. Until the Republic has paid the whole amount of the advances and other expenses incident to the service of the United States Loan, its funded or floating debt will not be increased except with the written approval of the Financial Adviser.

5. No concession will be granted by the Legislature of the Republic or by any other branch of the Government of the Republic until after it shall have been favorably reported upon by the Financial Adviser.

6. Applications for concessions will be forwarded promptly to the Financial Adviser for investigation at the same time that copies are sent to the members of the Legislature or the Houses of the Legislature, whichever shall be first.

Article VIII

The Republic hereby consents that the terms of the Agreement for Refunding Loan of 1912 and of the Fiscal Agency Agreement of 1912 shall be deemed modified in accordance with the terms of this Plan.

Article IX

The Republic will procure all such Legislation as may be required for the complete authorization and legalization of this Plan and of all action called for by this Plan on the part of the Republic or necessary or convenient to carry it into operation.

In witness whereof the Republic of Liberia has caused this Plan to be signed on its behalf by the President of the Republic thereunto duly authorized by a Joint Resolution of the Liberian Legislature, approved January 22, 1919.

President of the Republic of Liberia

882.51/1100 : Telegram

The Minister in Liberia (Johnson) to the Secretary of State

MONROVIA, *April 21, 1920—11 a.m.*
[Received April 22—7 : 11 a.m.]

31. Referring to the Department's number 17, April 10, 6 p.m.[9] to General Receiver, who replies as follows:

"Soon after outbreak of war it became necessary for the purpose of safeguarding security on which 1912 loan is based to modify the order in which disbursements under the loan agreement were to be made. This modification was effected by receivership through the Department of State with approval of fiscal agents and provided that maintenance of Liberian frontier force only for a short time [be] paid as a charge prior to service of loan. From the assigned revenues no disbursements have been made which are not chargeable to expense of collection and administration, service of loan, or maintenance of frontier force, except salaries and expenses of American officials and an occasional emergency disbursement on account of Liberian Government proper. Please see cable correspondence with Legation January 2 to 26, 1915,[10] making frontier force charge prior to interest. General Receiver understood that the Department was aware of conditions under which American officials were employed and assented to their maintenance out of assigned revenues until loan credit became available. Liberian Government requested and commissioned American officials believing that loan credit would shortly be available but the delay has so prolonged interval during which their salaries have had to be paid from assigned revenues that the British have used opportunity to raise embarrassing questions. Salaries and expenses of the American officials had to be paid out of assigned revenues or not paid at all as the Republic had no funds available for this purpose."

JOHNSON

882.51/1100 : Telegram

The Secretary of State to the Minister in Liberia (Johnson)

WASHINGTON, *April 28, 1920—2 p.m.*

19. And for attention Worley.

Your 31, April 21, 11 am.

It is the opinion of the Department that provisions of 1912 Agreement regarding application of assigned revenues ought to be strictly observed until conclusion of the new agreements. Payment of American officers might be made in accordance with Article Four, Section D, Clause Four of 1912 Agreement. If this is not feasible because

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[9] *Ante*, p. 53.
[10] *Foreign Relations*, 1915, pp. 635-637.

of insufficiency of revenues or for other reasons, would you and Worley advise asking Treasury for emergency advances from loan prior to conclusion of agreements in order to enable the Republic to pay these officers? Department's No. 17 of April 10. inquired also regarding method of defraying cost of orders for material in this country. Answer.

COLBY

882.51/1119 : Telegram

The Minister in Liberia (Johnson) to the Secretary of State

MONROVIA, *May 6, 1920—3 p.m.*
[Received May 7—2 : 13 a.m.]

35. Following is General Receiver's reply to Department's number 19, April 28, 2 p.m.

"If order of the application of assigned revenues in the 1912 loan agreement is strictly observed, it will be necessary to pay immediately arrears and resume full payment of salaries of entire customs service. Full salaries would double present expense of collection and the back pay of the customs service is about $25,000. Total of any balance then on hand would have to be remitted on account of interest and sinking fund. This would cause, at present rate of exchange, a loss to the Liberian Government of approximately one third of each amount remitted. Receivership would then have nothing to meet charges for upkeep of frontier force which comes under article four, section (*d*), clause 3 and ahead of clause 4, under which Department suggests that American officials might be paid. In view of foregoing statement it does not appear practicable to the General Receiver to observe strictly order of disbursements provided in the loan agreement as it would precipitate financial crisis.

At present, General Receiver has on hand 24,000 pounds sterling and is holding same with a view to carrying out understanding with Treasury Department and provisions of financial plan of using this money here, after the loan credit becomes available, to avoid [physically] transmitting money to Liberia from the loan credit to pay Republic's local obligations. By this understanding and plan, arrears of interest on 1912 bonds mentioned in exchange of notes with France and Great Britain would be paid from the loan credit at favorable rate of exchange and considerable saving to Liberia.

If any other means can be devised to pay salaries of American officials, it appears advisable at present for political reasons not to make advances from the new loan credit for these salaries only. Would it not be possible to arrange that the General Receiver will be permitted to continue to pay these salaries from assigned revenues for remaining short period before loan is effective?

No orders for materials have been placed in the United States except for use of administration work of receivership or use of frontier force. Cost of these materials has been paid from assigned revenues."

JOHNSON

882.51/1126a : Telegram

The Secretary of State to the Minister in Liberia (Johnson)

WASHINGTON, *May 20, 1920—5 p.m.*

22. And for attention of Worley.

Navy Department advises U.S.S. *Chattanooga* enroute to United States from Europe. Will arrive Monrovia about May 29 making courtesy call remaining week or ten days.

COLBY

882.51/1132 : Telegram

The Minister in Liberia (Johnson) to the Secretary of State

MONROVIA, *June 8, 1920—4 p.m.*

[Received June 9—2:20 p.m.]

39. *Chattanooga* left Monrovia this morning. Legation believes that visit was quite beneficial to American prestige. Legation endeavored give commander every possible assistance to make independent investigation of conditions here. It is understood that he will immediately cable substance of results of his investigation and follow cable by full report by mail.

JOHNSON

882.00/653

The Acting Secretary of State to the Secretary of the Navy (Daniels)

WASHINGTON, *June 22, 1920.*

(Attention of Admiral Coontz, Chief of Naval Operations)

SIR: I have the honor to acknowledge the receipt of your letter of the 11th [*15th*] instant [12] and to thank you for the paraphrase of a despatch contained therein received by your Department from the Commander of the U.S.S. *Chattanooga* on conditions in Liberia.

In view of the serious conditions alleged in this report to exist in Liberia at a moment when we are negotiating an agreement with that Government with a view of improving conditions in Liberia, it is earnestly requested that a small naval vessel make its base at the port of Monrovia for the present.

I have [etc.]

NORMAN H. DAVIS

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[12] Not printed.

882.51/1137

The British Ambassador (Geddes) to the Secretary of State

No. 395 WASHINGTON, *June 25, 1920.*

SIR: With reference to your note of March 29th[13] I have the honour to inform you that British bondholders of the Liberian Loan are complaining of the non-application of the Sinking Fund and that His Majesty's Government understand the funds applicable to this purpose are being retained by the American Receiver.

If this understanding is correct my Government are anxious to make it clear that, in their view, the Liberian Loan including the Sinking Fund, should be met to the limit permitted by the Receivership receipts and without reference to the question of exchange.

I have [etc.] A. C. GEDDES

882.00/657

The Acting Secretary of the Navy (Coontz) to the Secretary of State

WASHINGTON, *June 28, 1920.*

SIR: Referring to your letter of 22 June, 1920, in which you request that a small naval vessel shall make its base at the port of Monrovia for the present, I have the honor to inform you that there is no vessel available which can make its base in Liberian waters at the present time. If the situation absolutely requires it, this Department may be able to have vessels call at Monrovia at intervals, although it is submitted that this requirement would be a source of continuous embarrassment in view of the present international situation in European Waters which requires the continuous presence of all available naval forces in those waters, and in view also of the general shortage of funds under the naval appropriation and the great increase in the price of fuel which render long voyages, especially in waters remote from a reasonable source of fuel supply, most objectionable.

Very truly yours,

R. E. COONTZ

882.51/1144a : Telegram

The Acting Secretary of State to the Chargé in Liberia (Bundy)

WASHINGTON, *July 12, 1920—4 p.m.*

31. There is quoted below text of proposed Agreement Regarding Functions and Authority of Officials of the Receivership Adminis-

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[13] Not printed.

tration in Liberia which you will submit to Liberian Government for its consideration in connection with the Financial Plan unless you or Worley perceive some objection to any part of document, in which case you are to cable Department.

"The following agreement between the Governments of the Republic of Liberia and the United States is to be considered as supplementary to the 'Financial Plan Proposed by the Republic of Liberia', hereinafter referred to as the 'Financial Plan.'

ARTICLE I. *General Provisions.* Section 1. Provision has been made in the Financial Plan for the designation and appointment of a General Receiver and Financial Adviser and of certain Administrative Assistants in Liberia. Subject to the necessary authority being conferred upon the General Receiver and Financial Adviser and the Administrative Assistants for the effective execution of obligations, agreements, or contracts entered into by or on behalf of Liberia and for the performance of their duties and functions under the Program of Reform, Rehabilitation and Development of Liberia, these officials will be understood to be clothed with this adequate authority.

Section 2. The Government of Liberia will give all needful aid and support and full protection to the General Receiver and Financial Adviser and the Administrative Assistants of Liberia. No official or private individual shall be permitted to intervene or in any way interfere with the General Receiver and Financial Adviser and the Administrative Assistants of Liberia in carrying out the obligations, agreements or contracts assumed by or on behalf of Liberia, or in the enforcement of Liberian law or agreements and the maintenance of order and a stable government.

Section 3. While traveling on official business within the Republic, the General Receiver and Financial Adviser and the Administrative Assistants will be allowed their actual and necessary traveling expenses and subsistence or a per diem allowance in lieu of subsistence, as estimated by the Financial Adviser.

Section 4. The General Receiver and Financial Adviser shall be granted leave of absence with pay at the rate of ninety days per annum and the Administrative Assistants shall be granted leave of absence with pay at the rate of sixty days per annum, which shall be accumulative. Their actual and reasonable traveling expenses to Liberia by the most direct route will be refunded, out of the assigned revenues and receipts, by the General Receiver for the original trip to accept employment; and at the end of their period of service in Liberia, on due proof that they are about to leave Liberia to return to their places of residence in the United States, their return passage to the places of residence they left in the United States or elsewhere will be paid by the General Receiver, together with pay for accrued leave of absence due them on the date of settlement. Such leave of absence will be granted at least every two years, but for cause may be granted prior to the expiration of that period of service in Liberia. Except for special reason, Administrative Assistants going to Liberia for service with that Republic will not be granted leave until the expiration of the first two years of service in Liberia. The salaries of the General Receiver and Financial Ad-

viser and of the Administrative Assistants shall be payable in the United States or Liberia in whole or part at the option of those officials on their written request to the Secretary of the Treasury of the Republic and the Secretary of State of the United States.

ARTICLE II. *General Receiver and Financial Adviser.* Section 1. The General Receiver and Financial Adviser will succeed to all the functions, authority and rights exercised by or conceded to the General Receiver of Customs and Financial Adviser or Board of Receivers under the Refunding Loan Agreement of 1912, and subsequent understandings with the Liberian Government. He shall pass upon all matters of the efficiency of the personnel and effectiveness of the policy and shall decide all questions that may arise regarding conflicts of functions and authority of the Administrative Assistants of Liberia. He will codify and reissue the Customs Administrative Circulars issued prior to November 7, 1916. He may issue regulations, rulings or interpretations for the proper conduct of the services under his direction. Copies of all such regulations, rulings, and interpretations will be transmitted, as soon as practicable after their issuance, to the Secretary of the Treasury of Liberia and the Secretary of State of the United States. Should any disagreement arise between the Republic and the General Receiver and Financial Adviser, concerning his authority or duties or those of the Administrative Assistants, or concerning any act of his or theirs hereunder, or as to the interpretation of this agreement, or any clause or part hereof, such disagreement shall be submitted to the Secretary of State of the United States for his opinion, which will be rendered upon a statement in writing of the facts as agreed upon by the General Receiver and Financial Adviser and the Republic, acting through its proper officer. Such statement shall be made and submitted to the Secretary of State of the United States promptly. Pending his opinion the decision of the General Receiver and Financial Adviser shall be effective. The General Receiver and Financial Adviser may delegate to the Administrative Assistants such powers and duties as he may deem necessary.

Section 2. The Administrative Assistants will make reports of their work with recommendations to the General Receiver and Financial Adviser, who may if he sees fit communicate them or pertinent parts thereof to the corresponding Department of Liberia with such comments as he may deem proper. The Financial Adviser will also consolidate these reports into a general report on specific subjects from time to time or annually, and transmit them, together with his observations or recommendations, to the President of Liberia and to the Department of State of the United States through the usual channels. The Financial Adviser will make recommendations for the amendment or repeal of any measures made necessary by the war conditions, including tariff legislation. He will point out laws or portions of laws in conflict with the present financial arrangement with recommendations for their repeal or amendment. He will issue regulations to render effective the provisions of the Act of the Legislature of Liberia approved August 8, 1917, relative to 'potable spirits' until such time as total prohibition of all alcoholic beverages in Liberia shall have been decided upon.

Section 3. The General Receiver will have full charge of the recruiting of native labor and deck-hands and all fees, commissions, or amounts payable in connection with such recruiting shall form a part of the assigned revenues. He will issue regulations for future contracting of such labor and deck-hands. Seamen, engaged for one trip only, will be returned to the Liberian port of embarkation by the same vessel on the homeward bound voyage. Each steamship line shipping seamen will give a general bond or engagement to return such deck hands on the homeward bound voyage. Those deck hands who may die or desert on the voyage, will be accounted for by the establishing of that fact, through the Receivership upon the return of the vessel, to the satisfaction of the Liberian Government.

Section 4. Should the legislature of Liberia enact a budget not approved by the Financial Adviser or fail to make the necessary appropriation for the purposes indicated in clauses first and third of section (*h*) of Article IV of the Financial Plan, the General Receiver is authorized in his discretion, to make such payments.

Section 5. The General Receiver and Financial Adviser will be associated with the Postmaster General of Liberia in investigating the extent of Liberia's indebtedness to foreign postal administrations and he is authorized to devise a method to settle existing arrears, reestablish the department's credit with foreign administrations, and prevent loss of credit in the future. He will also advise as to contracts for the printing of postage and internal revenue stamps, or sale and accounting for same.

Section 6. The General Receiver will render financial accounts quarterly to the Secretary of the Treasury of Liberia and the Secretary of State of the United States. He will accompany these financial accounts with statistics of commerce, trade and shipping together with such narrative matter as may appear necessary to explain the figures. The General Receiver will call a meeting of the Administrative Assistants, or such of them as may be necessary, at least once a year, prior to the meeting of the Legislature, or oftener, for the purpose of discussing the work of the year, making plans for the future, and coordinating the work of all branches of the service and Receivership Administration.

The General Receiver and Financial Adviser shall exercise such supervision and control over the granting of concessions, franchises, rights or privileges by the Liberian Government and over any use of the territory, resources and potential assets of Liberia, as may be necessary to prevent any acts of commission or omission which might tend to impair or reduce the security for the United States Loan, as provided for in Article VII of the Financial Plan, and to this end the Liberian Government will lend all necessary assistance.

Section 7. The General Receiver and Financial Adviser will receive Five Thousand Dollars per annum for his services as General Receiver and Five Thousand Dollars per annum for his services as Financial Adviser.

ARTICLE III. *Receivers.* Section 1. A Deputy General Receiver and two Receivers will assist the General Receiver in the performance of his duties and in the conduct of the Receivership Administration, in such manner as the General Receiver shall direct. In

the absence or inability of the General Receiver to act or during a vacancy, the Deputy General Receiver will perform the duties of the General Receiver and assume, without formal transfer, the corresponding responsibilities. In like circumstances, on written notification by the Financial Adviser to the Liberian Government, or during a vacancy, the Deputy General Receiver may perform the duties of the Financial Adviser. The salary of the Deputy General Receiver and that of the Receivers will be not less than Three Thousand Dollars per annum.

Article IV. *Auditor.* Section 1. The Auditor shall examine and audit the books and accounts of the Republic, the Receivership, and of the Depositary in connection with its acts as Depositary. He shall make reports to the Secretary of the Treasury of Liberia at least annually with his recommendations. The Auditor shall cooperate with the Secretary of the Treasury of Liberia and with the Financial Adviser in investigating disbursements on account of pensions and shall make recommendations as to a revision of the pension lists, bringing them into conformity with the law, together with a principle for the granting of pensions in the future. All accounts will be promptly transmitted direct to the Auditor by the accounting officer under regulations to be prescribed by the Board of Review created by Act approved August 2, 1917, (Article 3). The Auditor may require the rendition to him of accounts by counties, townships, cities or other subdivisions and have access to and audit all books and papers thereof. He may also prescribe forms for the accounting for money and property by such entities. The salary of the Auditor will be not less than Four Thousand Dollars per annum.

Article V. *Commissioner General of the Interior.* Section 1. The Commissioner General of the Interior will make reports from time to time to the General Receiver and Financial Adviser on various subjects and the General Receiver and Financial Adviser shall transmit them with his comments and recommendations to the Secretary of the Interior of Liberia and at least annually submit a general report on the work during the year. He will have direct supervision over the assessment of existing taxes and the institution of new forms of taxation in the Interior. A set of tax registers will be prepared in duplicate of all huts and other units of taxation of the interior by tribes and towns, grouping these huts and towns under arbitrary numbers for the purpose of checking the amounts collected from year to year. These registers will be immediately prepared in each district of the interior and one copy forwarded to the General Receiver and Financial Adviser who shall transmit this to the Secretary of the Treasury of Liberia for use of the Auditor, and the other will be retained by the District Commissioner of the District for which the report is submitted. The Commissioner General of the Interior will have direct supervision of the collection of the revenues of the Interior. He will make these collections as far as possible through the existing local chiefs.

Section 2. He will have at least four American assistants who will be called 'District Commissioners.' During the absence or incapacity of the Commissioner General of the Interior, the Commissioner General or Financial Adviser shall designate the District

Commissioner who shall act as Commissioner General. The number of Liberian Commissioners and other civil officials in native districts will be limited by agreement between the Secretary of the Interior of Liberia, the Financial Adviser, and the commissioner General of the Interior. No such commissioner or other civil official will be stationed in the interior until his qualifications have been scrutinized and his appointment recommended by the officers mentioned.

Section 3. The secretary of the Interior of Liberia, the Financial Adviser and the Commissioner General of the Interior will constitute a board to discuss and formulate plans for the better government of the Interior. In matters pertaining to the collection of revenues the Secretary of the Treasury of Liberia will take the place of a member of the board instead of the Secretary of the Interior. The Secretary of the Treasury of Liberia, the Financial Adviser and the Commissioner General of the Interior will promulgate rules for the collection and transmission of revenues from the interior. The Secretary of the Treasury of Liberia may appoint an official to cooperate from time to time. When revenues which have been collected are physically transported to Monrovia a military guard will be provided.

Section 4. A simple, modern and effective plan of development and administration of the interior will be drawn up and adopted at the earliest practicable date by the Secretary of the Interior of Liberia, the Financial Adviser, and the Commissioner General of the Interior. Native customary law will not be lost sight of, but will be respected so far as it does not conflict with statutory law, good order, and good morals. No new taxes will be imposed upon the natives until a plan of administration of the interior shall have been adopted.

Section 5. The practice of exchanging 'dashes' with the natives of the interior will be suppressed and discouraged. All services rendered or supplies furnished by the natives or native chiefs will be paid for in cash and taxes collected will be in cash. The Headquarters of the Liberian Frontier Force will be removed to such point in the interior as may be agreed upon by the Secretary of the Interior of Liberia, the Financial Adviser, and the Commissioner General of the Interior. The establishment of branch trading factories in the interior will be encouraged at such points as may be recommended by the Secretary of the Interior of Liberia, the Financial Adviser and the Commissioner General of the Interior.

Section 6. The Commissioner General of the Interior and District Commissioners will be peace officers only, but when necessary to enforce their authority, they will call upon the Liberian Frontier Force and this military assistance will be promptly given. The Commissioner General of the Interior and the District Commissioners shall be entitled to exercise powers of a Justice of the Peace. All intratribal 'palavers' and offenses, except optionally with the Government, murder, arson, rape, treason, sedition or rebellion, will be tried by the local Chief or Council subject to appeal to the Paramount Chief and Council. In some cases it may be necessary for a District Commissioner or the Commissioner General to preside at these hearings. Intertribal matters will be heard by a District Commissioner or the Commissioner General in conjunction with the na-

tive Chiefs of the tribes interested. A Chief from each tribe will hear the case with the District Commissioner or Commissioner General presiding. No fees shall be charged or received by the Commissioners for hearing 'palavers' or other cases. Only the party or tribe found guilty or at fault will be penalized. The cases of those charged with the crimes above excepted may be transferred to a court of original jurisdiction at some place on the coast. The salary of the Commissioner General will be Four Thousand Dollars per annum, plus a minimum of One Thousand Dollars per annum for expenses. The salaries of the District Commissioners will be not less than Three Thousand Dollars per annum each, plus a minimum of Seven Hundred Fifty Dollars each for expenses.

ARTICLE VI. *Liberian Frontier Force Officers.* Section 1. Until the services of the American officers are dispensed with, the senior officer designated in accordance with the provisions of Article 4, Section (*c*), Paragraph 1, of the Refunding Loan Agreement of 1912, will be commissioned 'Commanding Officer of the Liberian Frontier Force' with the rank of Major. The two officers in command of the separate battalions shall have the rank of captain. When the status of the United States Military Attaché at Monrovia has been definitely defined, his advice will be invited on all military matters, and his services sought for the reorganization and training of the militia, Liberian Frontier Force, and Cadet Corps. By request he may also serve as military adviser to the Liberian Government. A board consisting of the Secretary of the Interior of Liberia, the General Receiver, and the Military Adviser, will discuss and decide all matters of personnel, organization, and general matters of administration. The Commanding Officer of the Liberian Frontier Force will be Secretary of this board and give such information and advice as may be called for. The salary of the Major will be Two Thousand Five Hundred Dollars per annum and Three Hundred Dollars for quarters, plus rations. The salaries of the Captains will be Two Thousand Dollars per annum each and Three Hundred Dollars each for quarters and rations."

DAVIS

882.00/660 : Telegram

The Secretary of State to the Chargé in Liberia (Bundy)

WASHINGTON, *July 15, 1920—7 p.m.*

33. Your 45, July 13, 2 p.m.[14]

Explanatory of Department's intentions should Loan Plan as now placed before Liberian Government be adopted by Liberian Legislature the following steps for the Republic's rehabilitation would be immediately undertaken:

1. Repayment of Refunding Loan of 1912.
2. Payment of debt to all foreign bankers.
3. Payment to all Liberian officials of arrears of salaries.

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[14] Not printed.

4. Establishment of financial administration fully adequate to handle Republic's finances.

5. Under clause 5[15] light houses and harbor buoys at Monrovia, Grand Bassa, and Cape Palmas would be established; motor trucks and bridge materials would be sent at once for comprehensive road building scheme, one road northeast from Monrovia, Paynesville to Interior and another eastward from Johnsonsville toward Bassa and Palmas. Matter of pier at Monrovia, hospital and certain public buildings would be given careful study.

American Government has the same interest in seeing Liberia a self-supporting country independent of all foreign financial control as it had in Cuba, which is today a conspicuous example of national prosperity. Through the temporary financial administration provided in the Loan Plan it is hoped within a few years that Liberia may become one of the most prosperous of small nations and that thereafter no control of any kind will be required.

Above information is for your guidance and use in overcoming situation outlined in your said No. 45. Cuban analogy especially should be employed with great discretion.

In view of these intentions, which may be intimated to Liberian Government and public, suggested that air of expectancy be created so as to form favorable attitude among legislators. More definite details will be cabled shortly.

Expenditure two hundred dollars for printing approved if absolutely necessary.

For Legation's information, Department now endeavoring evolve plan for retirement 3 per cent internal loan this to be given first consideration in case loan plan approved.

COLBY

882.51/1149

Memorandum by the Third Assistant Secretary of State (Merle-Smith)

[WASHINGTON,] *July 16, 1920.*

Conference with the French Chargé d'Affaires, Prince de Bearn

I took up with the French Chargé the situation of Liberia, explaining to him the situation as regards the financial plan. I told him that both the British and French private citizens were carrying on strong propaganda against the American loan; that the original commitments had been made with the concurrence of Great Britain and France, and I did not believe that the French Government was in

[15] Of article I of Loan Plan.

position to finance Liberia herself; that the intrigues of private French citizens were making it much more difficult for the United States Government to carry out its purposes; that the United States Government assured both French and British Governments that they would not permit, as far as it could do so under its financial agreement, commercial priorities to American citizens; that the Government would stand for the Open Door and that I believed it would be more advantageous for British and French commercial interests under such a plan and financial supervision by the United States than under the present existing conditions. I requested that he ask his Government to take steps to curb the activities of French nationals in Liberia which have been complained of and also if the Government was willing, that they would indicate to the Liberian Government that they favored the acceptance of the American plan. He told me he felt sure that the French Government would immediately act as we requested. Personally I have some doubt as to whether the French will be very willing to take such action. I explained to him also the necessity of haste.

VAN S[ANTVOORD] M[ERLE]-S[MITH]

882.51/1150 : Telegram

The Chargé in Liberia (Bundy) to the Secretary of State

MONROVIA, *July 23, 1920—2 p.m.*
[Received July 25—2:52 a.m.]

48. Please rush reply to this cable, events here likely to move fast in next few days.

Financial Adviser informs Legation that at meeting [of Cabinet?] held July 16th, at which he was present it was decided by President King and majority of members to put before Legislature the Department's draft of the financial plan and a modified draft of the plan as altered by the Executive Government. Financial Adviser reports that modified draft is what the President will recommend and use his influence with Legislature to have enacted as embodying the conditions under which Liberia desires to obtain the five million dollar loan credit. Financial Adviser states he informed the President and Cabinet members that he strongly advised without result against alterations and expressed opinion that proposed changes would not be favorably received by the Department.

Copy of modified draft of the plan not yet available but Financial Adviser furnishes Department the following as substance of principal alterations made in financial plan as drafted by Department:

1. Sufficient sum requested of the United States Treasury to enable Liberian Government to retire its internal funded debt.

2. The internal revenues are not assignable. They are withdrawing [*withdrawn*] from the security to be given for the American loan, and receivership is entirely dissociated from the collection and administration of the internal revenues.

3. No guarantee is asked of the United States Treasury of any deficit in Republic's budget. Apparently it would be [attempted] to maintain Government proper apart from the receivership on the internal revenues freed from control of and without reference to the receivership.

4. All foreign officials now employed or who may hereafter be employed by the Government are to be paid from assigned revenues whether connected with receivership or not.

5. Functions of Financial Adviser and General Receiver are completely separated; former to control all disbursements but manner of control very vague and the latter confined solely to collection of assigned revenues.

6. All moneys collected including assigned revenues to be deposited to the credit of the Secretary of the Treasury administered and applied by that official with advice of Financial Adviser but such advice is not necessarily binding on the Secretary of the Treasury with reference to internal revenues.

7. Receivership is to be composed of a Financial Adviser, a General Receiver, and three deputy receivers. All other officials, called in Department plan administrative assistants, are excluded from receivership administration and are not provided place in modified plan except as to their salaries.

8. General Receiver is to have no power to organize customs patrol if Government fails to do so.

9. Government consents to maintain frontier force but all reference to retention of American officers is eliminated.

10. Budget is to be prepared by Secretary of the Treasury and Financial Adviser but latter has no power of approval or disapproval. Provision in article II near end of third paragraph of Department's plan that budget and appropriation acts shall be adopted in a manner satisfactory to Department of State of the United States is omitted from modified plan.

11. All reference to loan agreement of 1912 as in article IV paragraph (*g*) and article VIII eliminated.

12. Whole of articles V and VII eliminated.

13. Provision in article IV that no customhouse may be opened or closed without assent thereto of the General Receiver eliminated.

14. [Authority of General Receiver] defined in article IV section (*a*) second paragraph to fix penalties for violation of receivership regulations as provided in reform program and joint resolution of November 6 [7,] 1916, is eliminated.

15. Practically all restrictive or restraining clauses of the Department's plan are omitted or nullified by limitations in modified plan. Very many of the provisions eliminated are in the refunding loan agreement of 1912–16.

In addition to foregoing there are several other alterations in Department's plan any one of which might seriously impair its effectiveness as security for loan.

Legation believes that either one of following motives actuated President King in altering Department's plan as above indicated: 1st. He may desire by proposing conditions impossible of acceptance by the United States to cause in this way the defeat of the American loan without actually rejecting the plan proposed by the Department. 2d. He would probably favor accepting American loan if it may be gotten on his own terms. 3d. Foreseeing that Liberia must make loan from some source he desires Legislature to enact his modified plan to be used merely as a basis of further negotiations with the United States to be conducted during interval between now and December when it is rumored British interests presumably Liberian International Corporation of London would present Liberian Legislature with loan scheme in terms such as would enable Liberian Government to do practically as it pleased with the money borrowed.

. . . . . .

Although Legislature was called for July 19th, sufficient members have not arrived Monrovia to form quorum and plan has not been yet sent Legislature by President. This has prevented ex-President Howard and his supporters from yet publicly beginning agitation in favor of accepting American loan with a few mild modifications in financial plan.

Legation frequently told that Liberian officials and citizens who are opposing Department's plan say that they believe the measures of control and restrictions therein emanated from Legation and General Receiver and that the United States itself does not really think it necessary that such provisions be included in financial plan and if these measures are deleted or even if American loan is not accepted no offense thereby would be given the United States.

If Legislature takes any action contrary to the suggestions and advice of the Department so that loan is not soon made available it is practically certain that several of the American officials who came to Liberia to be part of receivership administration will not assume any responsibility and request transportation to the United States. Already Wanzer and Miller have resigned and the President has accepted their resignations. Only earnest persuasion of Legation has temporarily prevented other American officials from resigning.

So much opposition to financial plan as proposed by Department has developed on the part of the Liberian Government that Legation has not yet presented the supplementary agreement as to functions and authority of officials of the receivership administration.[16]

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[16] See telegram no. 31, July 12, 1920, to the Chargé in Liberia, p. 71.

It is thought that this agreement as it now stands would be more unacceptable to the Government than the financial plan. Matters relating to it will be treated in another cable. Legation thoroughly convinced that a strong and positive statement should be made to the Liberian Government which would if possible prevent President King from misleading and taking advantage of the Liberian people and Legislature to further his own questionable ends. With this idea in view will the Department authorize the Legation to communicate following or something even stronger to the President of Liberia:

"The American Government has a deep interest in seeing Liberia a self-supporting country ultimately independent of all foreign financial control. [It therefore carefully considered financial plan before submitting it to the Liberian Government. In order that the obligations which have been assumed at the request of Liberia may be adequately discharged] and the desire of the United States above mentioned fulfilled, no fundamental alterations in this plan such as have come to the attention of this Government will meet with approval, and failure to be guided by these suggestions made in good faith for the purpose safeguarding and perpetuating the sovereignty and independence of the Republic may cause the revival of the question of establishing a mandate or protectorate over the Republic which the United States through its friendly activities at the Peace Conference prevented."

Besides probably deterring contemplated mutilations of the financial plan this statement would give much moral support to Howard and his supporters who favor Department plan. It is felt that any statement which the Department may authorize should not contain any intimation that the United States might withdraw from it as withdrawal would serve well end to which President appears to be working.

BUNDY

882.51/1151 : Telegram

The Chargé in Liberia (Bundy) to the Secretary of State

MONROVIA, *July 24, 1920—2 p.m.*
[Received July 25—9:17 a.m.]

50. Department's draft of the financial plan has been transmitted by President to Legislature which now has quotation [*quorum*]. President's message accompanying plan was merely letter of transmittal in which neither recommendations nor criticisms are made. Message however contained following:

"The Executive, on its part, formulated a counter plan embodying its suggested amendments to that proposed by the United States Gov-

ernment. This amended plan is at the disposal of Your Honorable Body any time you may require it."

During the existence of quotation [*sic*] it will be seen that President has withheld [modified] plan containing alterations made by himself and Cabinet as mentioned in Legations number 48, July 23, 2 p.m. but indicates that Legislature may have it for the asking.

Legation reliably informed that President's supporters in the Senate tried to pass resolution requesting President to transmit his notice of plan but resolution was defeated by margin of one vote. Resolution of this kind may yet succeed in the House. Legation assured that Vice President Ross and ex-President Howard will support Department's plan with certain not vital changes. Precisely what these changes are, Legation does not yet know. As soon as they are known they will be cabled to the Department and effort will be made to have Legislature await reply from Department before it takes final action.

BUNDY

882.51/1159 : Telegram

The Chargé in Liberia (Bundy) to the Secretary of State

MONROVIA, *August 2, 1920—1 p.m.*
[Received August 7—10:04 a.m.]

53. After several unsuccessful efforts President King has finally succeeded in having both branches of the Legislature pass resolution requesting him to place before them his modified draft of the financial plan as proposed by the Department. There is a distinct drift of sentiment in Legislature away from proposal of ex-President [Howard] and Vice President [Ross] to adopt Department's plan with mild modifications towards adopting plan as altered by President King. Substance of these alterations reported in Legations 48, July 23, 2 p.m. Unless you so advise [that] Legation is authorized at once to make [strong statement] to the President definitely expressing Department's disapproval of his proposed alterations in financial plan, he is almost certain to influence successfully Legislature to adopt his modified plan. While such statement probably would have very little effect upon President himself, Legation believes that it would have considerable weight with members of Legislature. If Department cannot authorize statement suggested in Legation's 48, July 23, 2 p.m., please cable immediately what Department thinks Legation should say to President King under the circumstances. [This matter is most urgent.]

BUNDY

882.51/1150 : Telegram

The Secretary of State to the Chargé in Liberia (Bundy)

WASHINGTON, *August 2, 1920—6 p.m.*

38. Your 48, July 23, 2 p.m. and 50, July 24, 2 p.m. Cable whether or not the effect of Department's 33, July 15, 7 p.m. was favorable. Item 4 therein concerning proposal to establish new financial administration should be particularly pointed out to Liberian Government.

If there is general opinion that any one person has had sole initiative in steps taken or to be taken by this Government for the rehabilitation of Liberia, this idea should be dispelled by the statement that the Loan Plan was prepared by this Department and is actively supported by the American Government.

You may communicate following to the President of Liberia and thereafter in your discretion you may make public the information therein contained:

"The American Government has a deep interest in speedily bringing about a situation wherein Liberia will be a self-supporting country independent of all foreign financial control. The Loan Plan was carefully drafted so as to attain this one and sole end and its present provisions, if disinterestedly studied, will be found to be such as will best and most expeditiously accomplish this purpose. After careful consideration the Government of the United States is convinced that the provisions of the modified draft suggested by the executive officials of the Liberian Government would if accepted render impossible any realization of the results desired.

The Government of the United States would fail in its duty toward the Liberian people if it neglected at this time to point out by way of solemn warning that if American financial aid and the Loan Plan are rejected it may be necessary for this country to reconsider its objections to the establishment of a mandate over Liberia which it consistently continues to oppose."

For the Legation's information the Department would have no objection to considering certain not vital changes in the phraseology of the Loan Plan such as those which might be suggested by Liberians if the Legation concurs therein.

COLBY

882.00/663a : Telegram

The Secretary of State to the Chargé in France (Harrison)

WASHINGTON, *August 16, 1920—4 p.m.*

1376. A difficult situation at present exists in Liberia necessitating quick telegraphic communications between the Department and

the Legation at Monrovia. Cable messages however are delayed 8 to 10 days. Cable company at Monrovia informs the Legation there that submarine cable connections beyond Conakry are broken, and company cannot say when repairs will be made. Messages are therefore routed to Grand Bassam by cable thence by French and British Government land telegraph lines to Seccondee thence to Europe. Legation is attempting to send message to Conakry by cable thence to Dakar by French Government wireless thence to New York by cable.

Please take up matter immediately with French Foreign Office ascertaining whether statement of French cable company at Monrovia is correct and express this government's earnest desire that every facility be given messages between Monrovia and Washington for prompt delivery and express further the hope that broken cable be mended without delay.

You may also say at the Foreign Office that this government has been informed from a presumably reliable source that French interests at Monrovia are encouraging anti-American attitude of Liberian president and consequently complicating the situation looking to the acceptance of American Loan Plan by Liberian Government. This Government expects that French Government will take every means possible through its representative at Monrovia to impress upon the president and government of Liberia that the French Government is very desirous to see the American Loan Plan adopted without delay. Report by cable.

COLBY

882.51/1167 : Telegram

The Chargé in Liberia (Bundy) to the Secretary of State

MONROVIA, *August 17, 1920—2 p.m.*
[Received August 24—7 : 13 p.m.]

58. Legation has learned from Vice President of Liberia that French Chargé d'Affaires here has taken advantage of the unwillingness of the Liberian Government to accept the loan plan as well as local anti-American sentiment, to resume strong representations which almost amount to a demand that Liberia grant subsidy for railway concession already applied for and emphatic notice is given by him that American loan policy must be rejected as no agreement or understanding between the United States and France has been reached concerning the policy which the United States has proposed for the rehabilitation of Liberia and all French rights are reserved. Liberian Government has so far kept all information regarding these representations from Legation. Vice President says he was told

of these representations merely to convince him that as the United States has not succeeded in [obtaining withdrawal of France from receivership, its] loan plan would be of very doubtful [influence, if Liberia accepted,] in issues involving Liberian interests which may arise with France or Great Britain.

BUNDY

882.00/664 : Telegram

The Chargé in France (Harrison) to the Secretary of State

PARIS, *August 17, 1920—7 p.m.*
[Received August 18—6:33 a.m.]

1567. Took up question of communication with Monrovia as directed in your 1376, August 16, 4 p.m., with M. de Peretti [17] this afternoon. He promised to investigate and accord every facility. He also agreed to instruct French representative in sense desired.

HARRISON

882.51/1169 : Telegram

The Chargé in Liberia (Bundy) to the Secretary of State

MONROVIA, *August 21, 1920—8 a.m.*
[Received August 30—12:45 p.m.]

59. Legislature adjourned August 17th. Financial plan was not approved and no authority was given President to sign it. At the instance of President, Legislature passed joint resolution authorizing him to continue negotiations with United States to render loan credit available upon the basis of the amendment[s] incorporated in resolution so as to bring loan plan as submitted by the United States more in harmony with President's interpretation of the Constitution and laws of Liberia. Legation unable as yet to obtain copy of resolution or proposed amendments but understands latter are the same as amendments outlined in Legation's 48, July 23, 2 p.m. A second joint resolution also passed by Legislature, because of insistence of President, authorizes him to send commission consisting of three members to Washington to carry on negotiations mentioned in first resolution, to obtain from the Government of the United States acceptance of proposed amendments. Legation has no copy of this resolution but it is reliably reported that sum of $12,000 is appropriated to defray expenses of this commission.

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[17] E. M. J. de Peretti, Director of Political and Commercial Affairs, French Foreign Office.

Vice President, who loyally supported Department's plan to the end, confidentially informed me that an effort would be made to open negotiations with Department through channel other than Legation and no official correspondence on loan plan amendments or matter of sending commission to Washington would be conducted with Legation. This is intended to prevent Department from having official correspondence as basis of expressing through Legation its disapproval of sending proposed commission. Vice President says commission will be sent with least possible delay and none of the arrangements relating to its departure will be disclosed.

Legation regrets to report that it has reliable information that Auditor Ellis and Mr. Miller, two of the American officials, apparently with ulterior motives, encouraged President not to accept plan as drafted by Department, that they insinuated to President that Legation is not trustworthy, that sending commission to Washington was advisable and that Ellis prepared memorandum for President, attacking certain provisions of loan plan.

As President has attempted covertly to discredit Legation and may be expected to exhaust his resources to send commission to United States, it is respectfully suggested:

1. That Legation be furnished at once with text of formal note to be handed President, definitely informing him that proposed commission will not be received by the Government of the United States and that negotiations with the United States Government on loan plan or any other matter requiring attention of the Department must be carried on through Legation at Monrovia.

2. That Legation be instructed if commission leaves in spite of this notification, which is quite probable, not to visa passports of members.

3. That if commission proceeds to Europe *en route* to the United States without Legation's visas, which is also quite probable, American diplomatic and consular officers in Europe be likewise instructed not to visa members' passports.

4. That cruiser be sent immediately to Monrovia with instructions to impress President that Department's representations through Legation must be heeded. If cruiser is not sent President likely to send commission despite anything Legation may do.

President King [has so uniformly departed from] his official pledges and flagrantly disregarded Department's advice that it would seem impossible for the United States to continue assisting Legation [*Liberia?*] under existing conditions, thereby becoming morally [garbled groups] responsible for the perpetuation of a Government notoriously inefficient, corrupt, and hostile to effective reforms, [under which?] aboriginal population is arbitrarily obligated, ruthlessly exploited, and the practice of selling and pawning [human beings is finding shelter.]

All American officials here except two are so unfavorably impressed by the gross carelessness, deliberate obstruction, and quibbling of the Liberian Government that they have expressed to Legation desire to leave Liberia and have not done so as yet only because they do not wish to complete collapse of Department's scheme of rehabilitation. It is now quite probable that several if not all of them will resign soon if they cannot proceed with work they came to do.

Legation credibly advised that President King said that only by use of force could authority be obtained which audits [*financial?*] plan, unless chartered [*altered?*], would confer on American officials, as he would see to it that such authority would not be granted by parliamentary agreement of Liberian Government. This reported statement is crux of the situation and it moves Legation to say that it has reluctantly come to conclusion that nothing substantial can be done to institute reforms or rehabilitate Republic unless [and] until mandate is established over Liberia or effective intervention undertaken.

If it was thought United States could adopt such a course it would be legitimately [*sic*] recommended by Legation, Financial Adviser, military attaché and other American officials that immediate steps be taken to put Department's financial plan in operation here notwithstanding the recent action of Legislature and give the American officials whatever measure of support might be necessary fully to restore decent corrections [*sic*] which will afford protection to the native population now rapaciously despoiled and without defenders. It seems apparent that effort to aid Ethiopians through suggestion and advice is signal failure. Without exception all foreigners in Liberia openly ridicule and criticise our policy.

BUNDY

882.51/1185

The Chargé in Liberia (Bundy) to the Secretary of State

No. 103 MONROVIA, *August 25, 1920.*
[Received September 30.]

SIR: I have the honor to report that the Department's cable reply No. 38, dated July 30 [*August 2*], 6 p.m., to Legation's cable No. 48 dated July 23, 2 p.m., was not delivered to me until the evening of Aug. 12. The message was so mutilated that it was the afternoon of Aug. 14th before a sufficiently accurate text could be deciphered to permit the Legation to address a note to the Liberian Government expressing the views of the Department as to the proposed amendment of the Loan Plan.

At conference between the President and the Legislature it was definitely decided that amendments were necessary before the Plan could be accepted by Liberia. For this decision and the amendments the President is entirely responsible. The methods he used to get control of the Legislature have already been reported in Legation's cable No. 58 [*59*] of Aug. 21st but will be made the subject of another despatch. Copy of the Legation's note of Aug. 14th communicating to the Liberian Secretary of State the advice and solemn warning of the Department is herewith transmitted as enclosure No. 1.[18]

The Legation is reliably informed that this note had not the slightest effect on the course the President had apparently already determined to take except perhaps to cause him to redouble his energy to have the Legislature omit to act on the loan plan and pass two joint resolutions; one, authorizing the President to continue negotiations with the United States Government on the basis of amendments incorporated in the resolution; and two, authorizing the President to appoint a commission of three members to go to Washington to secure the acceptance of the amendments by the United States Government and appropriating the sum of twelve thousand dollars ($12,000.00) to defray expenses of said commission.

After the Legislature adjourned on Aug. 17, the Liberian Government sent in a note dated Aug. 21st its reply to the Legation's note of Aug. 14th. Copy of the Liberian Government's note of Aug. 21st is herewith transmitted as enclosure No. 2.[19]

The Legation refrains from comment on this note, although it might well be regarded as most extraordinary, except as to the last paragraph thereof in which a charge of the violation of official propriety is made against it because of the alleged publication of official and confidential despatches addressed to the Liberian Government by the American Government through the Legation, before being officially communicated to the Liberian State Department. This charge is wholly untrue and a statement by the Legation relative thereto was made to the Liberian Secretary of State on Aug. 25th, please see enclosure No. 3.[20]

On this matter the Legation desires to make this further explanation to the Department of what actually happened. The Legation's note of Aug. 14 (Saturday) was delivered in person to the Liberian Secretary of State about noon of that day. At the same time I sent him a personal note asking, in view of the importance of the official note, for a conference with him during the course of the afternoon. No reply came to either of these notes and at 5:30 p.m., I sent the General Receiver a copy of the official note, for his information,

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[18] Not found in Department files.
[19] Enclosure hereto.
[20] Not printed.

which had been delivered to the Secretary of State at noon. About 6 p.m., Mr. Worley and I conferred. It seemed likely in view of all that had transpired that President King would suppress the Legation's Note until after the adjournment of the Legislature, then expected on Monday Aug. 16. So I gave my sanction to the proposal for Mr. Worley to call the vice president and one or two more members of the Legislature and acquaint them with the substance of the note. This was done and under the circumstances we believe it was entirely justifiable. Now whatever may happen as a result of having disregarded the Department's advice and solemn warning the Liberian Legislature and people cannot plead ignorance as an excuse.

I have [etc.] RICHARD C. BUNDY

[Enclosure]

The Liberian Secretary of State (Barclay) to the American Chargé (Bundy)

402/D MONROVIA, *August 21, 1920.*

SIR: I beg herewith to confirm my acknowledgment of the Legation's Note dated August 14, 1920, which advises the Liberian Government that in consequence of reports which had reached the Department of State at Washington that the idea appeared to be gaining currency in Liberia that particular persons have assumed the initiative in steps taken or to be taken by the Government of the United States for the rehabilitation of the Republic and that the opinion seems to be entertained that certain amendments and alterations of the Financial Plan as submitted to the President of Liberia on June 15th, 1920, appear necessary to harmonize its provisions with views held by many of the responsible officials of the Liberian Government, you were instructed to advise the Government of Liberia that the proposed changes in the Loan Plan as originally submitted to the Liberian Government would if accepted render impossible any realisation of the result desired, and to say by way of solemn warning to the Liberian people that if the friendly advice of your Government is rejected and the Loan Plan altered it may be necessary for the American Government to remove its objections to the establishment of a mandate over Liberia which it consistently continues to oppose.

The contents of the Legation's Note have been most carefully considered by the Liberian Government, and in reply thereto, I beg to make the following observations:

The Government of Liberia at the moment when they were giving their most serious and careful attention to the Proposed Plan for

the financial rehabilitation of the Republic submitted to them by the American State Department, have been greatly perplexed by the Legation's despatch above referred to, contents of which would appear to vary so widely from the terms of previous despatches dated November 6, 1918, April 28, 1920, and July 17, 1920 transmitted by the Legation to this Department. In these despatches it is both expressly stated and clearly implied that the Loan Plan, upon its completion, would be forwarded to the Government of Liberia for its consideration, and that the Legation was prepared to forward to Washington such enquiries and observations thereon as the Government of Liberia might desire to make. The Liberian Government feel themselves justified in the assumption, based upon the tenor of the Legation's despatches just referred to, that the Plan as originally submitted was not to be taken as expressing the irrevocable views of Washington. The opinion was, it is felt, rightly held that the American State Department was still open to the consideration of such observations as the Liberian Government might make, and that the Plan as submitted furnished the basis for an exchange of views. The Liberian Government were all the more convinced of the correctness of this opinion, because the Loan Plan as originally submitted differed in essential respects from the terms of the Memorandum of the Liberian Government dated September 24, 1918,[21] and prepared in conjunction and with the approval of Mr. McBride the then Financial Adviser and General Receiver, in which had been set out, in compliance with requests from Washington, the precise objects and purposes to which it was desired to apply sums advanced from the proposed credit; and also because this Plan as submitted adversely affects in some of its terms the sovereign status of the Republic of Liberia, concerning the maintenance of which Washington has from time to time consistently declared its solicitude.

If, as seems to be suggested in the Legation's Note now under reply, the Plan submitted to the President of Liberia on June 15, 1920, had been intended for the peremptory acceptance of the Liberian Government and not for its deliberate consideration, it is felt that the Liberian Government might have been made acquainted with this view in that spirit of friendly candor which has of late years been so marked a characteristic of the relations between the two Governments. It is worthy of note, however, that the American Minister when handing this Plan to the President of Liberia distinctly stated in his address on that occasion that he had been instructed to submit that document to the consideration of the Liberian Government. This phrase was understood to mean that the Minister

[21] Not printed.

has been instructed to submit the Proposed Financial Plan to the deliberate and careful scrutiny of the Liberian Government with a view to receiving this Government's expression of opinion as to its acceptability or non-acceptability. It was in this sense that the document was received by the President of Liberia.

The Legation cannot ignore the fact that the Plan is, in form not a proposal of the United States Government made to the Government of Liberia. Rather, it is a document in which the Government of the Republic would appear as voluntarily surrendering certain important functions into the hands of an irresponsible Receivership, and investing this Receivership with a veto upon the exercise of certain sovereign and constitutional powers by this Government and its constitutional officers. These functions and powers the Government of Liberia have never expressed themselves as being prepared to surrender. In fact, throughout the whole course of the protracted negotiations which have preceded the establishment of the credit, it has never been intimated to the Liberian Government that a surrender of such powers was a condition precedent to the release of advances. It has always been the understanding of the Liberian Government that officials loaned to this Republic by the Government of the United States were to function through the constitutional officers of the Liberian Government and not to supersede these officers. It is inconceivable that the Liberian Government could reasonably be expected to accept without examination or scrutiny, without enquiry or the expression of an opinion, a Plan which departs in so great a degree from customary loan proposals, and which differs from the express desires of Liberia previously communicated to Washington and which carries upon its face provisions that would, if accepted, effect in an unauthorized manner fundamental changes in the constitution of this Government. The Government of Liberia therefore feel themselves bound to point out the several respects in which the scheme as submitted is in their opinion impossible of complete acceptance, and to suggest amendments, not with the object of "harmonising the provisions of the plan with the views held by many of the responsible officials of the Liberian Government", as is alleged in the Legation's Note, but for the purpose of coordinating this plan with the terms of the Liberian Constitution and with the express desires of the Liberian people.

It is difficult, therefore, for the Liberian Government, in the absence of any formal expression on the Plan made by them to the Legation, to understand what causes have necessitated the Legation's Note of August 14, by which the door of intercourse between two states, until now in most intimate relations, appears to be in-

continently closed and which suggests the possibility of the withdrawal of the traditional friendship of your great Government.

The Liberian Government have heretofore given and will continue to give the most careful consideration to advice and solemn warnings of the American Government; but it certainly cannot be denied that the Liberian Government, being so vitally interested in the results desired to be achieved in Liberia by the Government of the United States, have the right to express their views with the same frankness and with the same confidence that they will be heard, as is employed by the Washington State Department in transmitting its views to Monrovia. Else, what becomes of that status which the American Government has so often expressed itself as desiring to retain for the Republic?

It is with the gravest concern, therefore, that the Liberian Government find themselves confronted with the alternatives stated in the Legation's Note, and they would be more than gratified if advice were forthcoming that the interpretation which they have been compelled to give the literal wording of that document is mistaken.

The Liberian Government fully recognise the importance to the Republic of the friendly and benevolent interest of the United States Government. They are not prepared except for the most imperative reasons to surrender that friendship. They must, nevertheless, retain the privilege of placing their views before the American Government whenever it seems desirable to them so to do, and without the intervention of any intermediaries except such as they may select. Although the Legation's Note of August 14, seems to deny to Liberia this sovereign privilege the Liberian Government cannot believe that this denial is expressive of the final views of Washington on the question of intercourse between our two Governments.

In closing this despatch, Mr. Chargé d'Affaires, I have to express my profound surprise at the fact that the contents of official and confidential despatches addressed to the Liberian Government by the American Government through the Legation should be made public in Monrovia before they are officially communicated to this Department. The latest instance of this breach of official propriety which has been brought to the attention of the Department is the publication of the contents of your Note of August 14, 1920, before the document was received at this Department. The Department is most reluctant to believe that this publication had been made of deliberate intent, but is compelled formally, as it has already done informally, to protest against these incidents.

With sentiments [etc.] EDWIN BARCLAY

882.00/664 : Telegram

The Secretary of State to the Ambassador in France (Wallace)

[Paraphrase]

WASHINGTON, *August 25, 1920—4 p. m.*

1398. Your 1557 [*1567*], August 17, 7 p.m.

Discover if possible from Foreign Office the precise orders its representative received. COLBY

882.00/669 : Telegram

The Ambassador in France (Wallace) to the Secretary of State

[Paraphrase]

PARIS, *August 30, 1920—noon.*

[Received 4:10 p.m.]

1624. Your 1298 [*1398*], August 25. Following is summary of statement made by official mentioned in my 1567, August 17. French representative at Monrovia was ordered to urge claims of own nationals pending before Legislature of Liberia and avoid any interference with effort of United States to bring about acceptance by Liberia of plan for loan.

Active support for the American loan by French Government at sacrifice of French interests could not be granted. However, the French Government would be glad to support American loan plan if it could be given aid by United States Government in securing concession for the north and south railway. If French interests controlled majority of shares in railway, France would willingly see British and American participation. French Government according to him is asked to support a loan the terms of which it has never been informed of.

He declared the French Government wishes to cooperate with the American in the efforts of the latter to improve Liberian conditions upon the aforementioned basis, while he regretted that agreement concerning Danish suggestion for tripartite loan to Liberia had been impossible. WALLACE

882.51/1167 : Telegram

The Acting Secretary of State to the Ambassador in France (Wallace)

WASHINGTON, *August 31, 1920—9 p.m.*

1433. Department has been informed by the American Chargé d'Affaires at Monrovia that the French Chargé d'Affaires has re-

cently been taking advantage of the present unfavorable attitude of the Liberian Government towards the American loan plan by resuming strong representations that Liberia grant subsidy for railway concession which has already been applied for, and also that he has given emphatic notice that the American loan policy must be rejected since no agreement or understanding between France and the United States has been reached on the question of the rehabilitation of Liberia.

It is impossible to reconcile the above information with the assurances which have recently been given the Embassy by the French Foreign Office. It is desired that you will see the Minister for Foreign Affairs in person and review to him the previous representations made by the Embassy regarding the French attitude in Liberia and you will vigorously protest against the reported action of the French representative. This Government cannot but believe that the French Chargé d'Affaires has misinterpreted the attitude which his Government desires him to assume. This Government now feels sure that the French Government will immediately direct (and see that its instructions are complied with) its Chargé d'Affaires to inform the President of Liberia that the French Government fully expects that the Liberian Government will accept the American loan plan and furthermore that any procrastination by the Liberian Government in debating the subject can only prolong the difficult situation now existing and can in no way benefit it. The Department hopes that the French Government will now take a definite and unequivocal position in the matter and support the United States at Monrovia in the frank and friendly manner which we have the right to expect.

DAVIS

882.51/1173 : Telegram

The Ambassador in France (Wallace) to the Secretary of State

PARIS, *September 8, 1920—7 p.m.*
[Received September 9—3:47 a.m.]

1670. My 1646, September 3, 3 pm.[23] M. Paléologue[24] sends me a note stating that he can best reply to my representations by enclosing text of the instructions given to the French Chargé d'Affaires at Monrovia after the interview between Mr. Harrison and M. Peretti. The following is the text:

"The project for an American loan at present before the Liberian Parliament has caused representations to be made to my Department

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[23] Not printed.
[24] Maurice G. Paléologue, Secretary General of the French Ministry of Foreign Affairs.

by the Chargé d'Affaires of the United States at Paris who complained that your actions were in opposition to those of your American colleague and he asked the French Government to support the American proposals made to the Government of Monrovia.

Mr. Harrison was informed that you would receive instructions to make no opposition to the action of your American colleague but that you could support him only under one condition, that is that you should receive from him the same support in your representations in recommending to the Liberian Government to accord to the French group the railway concession from Beyla to Monrovia which the Liberian Parliament has at present under consideration. This project, whose terms are already known, has been conceived in a very liberal spirit. It makes a wide appeal to American and English capital and admits Liberians to serve on the board of directors. It reserves for the state of Liberia a share of the receipts, leaves that state free to buy back the concession at the expiration of the first ten years, respects the territorial and domain rights of the natives and provides for the construction of a port at the maritime terminus of the railway line which will be a new outlet for Liberian products. It would be inadmissible that a railway of which at least half of the system would be within French territory should not be conceded to a company containing a French majority. Advantageous as are its proposals the French group has not yet succeeded in having them adopted. In these circumstances Mr. Harrison was informed that my Department would not examine the possibility of recommending to the Liberian Government the American financial scheme until the Government of the United States should intervene at Monrovia in favor of the French railway company and until the latter had obtained satisfaction furthermore thought [*sic*] that it would be proper at this time that this scheme should be disclosed to the French Government. Mr. Harrison showed a disposition to transmit these suggestions to his Government."

WALLACE

882.51/1178 : Telegram

The Chargé in Liberia (Bundy) to the Secretary of State

MONROVIA, *September 16 [15?], 1920—5 p.m.*
[Received September 16—4:55 a.m.]

66. Worley informs Legation as follows: that manager of Monrovia branch, Bank British West Africa advised him that Liberian Government has requested of bank loan of three or four thousand pounds sterling with which to defray expenses of Liberian commission to be sent to Washington to obtain amendments to the financial plan; that bank manager informally asked Financial Adviser if he would approve said loan to Liberian Government for the purpose indicated; that Financial Adviser declined to approve requested loan as Liberian Government had not consulted him as to the advisability of sending commission to Washington or as to making the

appropriation to defray its expenses; that bank manager has referred Government's request for loan to bank's head office London for consideration; and that it is currently reported that it is planned to send commission by steamer due Monrovia within next three weeks.

Financial Adviser states that he regards Liberian Government action in making appropriation and attempting to raise loan without consultation with him as violation of provisions of reform program which he cannot sanction. Please see Department's mailed instruction to Legation number 23 dated April 4, 1917 [25] in this connection.

To date Liberian Government has said nothing officially to either Financial Adviser or Legation respecting its intention to send commission to United States. On August 25 Financial Adviser officially requested of Liberian Secretary of State copies of legislation passed at recent call session of Legislature but so far no reply has been made to this request.

BUNDY

882.51/1221

The British Embassy to the Department of State [26]

AIDE-MÉMOIRE

It is reported that the Liberian Legislature have refused to accept the Loan Agreement proposed by the United States Government, and an examination of the conditions shows that the agreement in question involves the establishment of an United States Protectorate over Liberia in all but the name, although the United States Government have stated on more than one occasion that a protectorate was not what they intended or desired.

The exact nature of the control to be exercised by the United States over Liberia is not a matter of special interest to His Majesty's Government, but seeing that His Majesty's Government were asked before the conditions of the Loan were presented to Liberia to surrender the security for British investors, which they possessed under the Loan Agreement of 1913 [*1912?*], they felt bound to stipulate that the *status quo* should not be altered to the detriment of British economic interests.

The United States Government have never formally accepted the conditions made by His Majesty's Government. Nevertheless they have acted as though Liberia were relieved from its obligations under

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[25] *Foreign Relations*, 1917, p. 877.

[26] Handed to the Secretary of State by the British Ambassador, Oct. 4, 1920.

the 1913 agreement and have even caused the sinking fund to be suspended, contrary to the terms of that agreement, for no other reason than that the exchange was against Liberia.

Notwithstanding the inconvenience caused in this and other directions His Majesty's Government relying on the good faith of the United States Government have loyally refrained from demanding a resumption of their participation in the control of the revenues of Liberia, and have confined themselves to urging the United States Government to expedite the conclusion of their agreement. Nor have they encouraged the Liberian Government to seek loans on easier terms from British sources.

The United States Government have given repeated assurances that the agreement was on the point of conclusion, but the Liberian Legislature has now adjourned without modifying its previous answer and it is clear that completion is no nearer than it was two years ago. Meanwhile, British interests continue to suffer and the development of Liberia is arrested.

As stated above, the exact nature of the control to be exercised by the United States over a country which they regard as being to some extent under their special protection, is not a matter about which His Majesty's Government propose to offer any criticisms, but they observe with regret that the attitude of the United States in the present instance is scarcely in harmony with the principles in the maintenance of which they are so happily co-operating with His Majesty's Government in the Far East.

882.51/1193 : Telegram

The Chargé in Liberia (Bundy) to the Secretary of State

MONROVIA, *October 21, 1920—8 a.m.*
[Received 8 p.m.]

73. Legation's 66, September 15, 5 p.m. and 68, September 24, 3 p.m.[27]

McMechen, manager British bank, yesterday informed Financial Adviser that he had advised Liberian Government that bank's London headquarters have authorized requested loan of 1,500 pounds sterling to Liberian Government for expenses of commission to Washington and that loan would be made upon formal application duly signed by the President of Liberia and the Secretary of the Treasury. Position thus taken by bank wholly disregards fact that Financial Adviser is still withholding his approval of this loan. Financial Adviser states: first, that he will continue to withhold his

[27] Latter not printed.

sanction of loan unless he learns from the Department America desires commission to come to Washington; second, that in view of what Liberian Government has already done it may be expected that loan will be made in spite of his opposition and that commission will be appointed and sent unless Liberian Government is strongly advised to the contrary by the Department; third, that present situation is exceedingly embarrassing as he is without any information whatever as to how Department desires him to handle this matter and if President King succeeds in sending commission to Washington without Department making any expression against such procedure all here who supported the adoption of Department's [financial] plan will undoubtedly [be] subjected to grave [embarrassments].

Legation and Financial Adviser earnestly urge Department to take immediately some effective steps to end existing situation which he declares to be intolerable.

BUNDY

882.51/1192 : Telegram

The Chargé in Liberia (Bundy) to the Secretary of State

MONROVIA, *October 21, 1920—4 p.m.*
[Received October 22—1 : 25 a.m.]

74. I have been informally advised by the Secretary of State that the Liberian Government feels that it has amply justified its procedure in dealing with financial plan by the arguments set forth in its note of August 31st [*21st*], 1920, copy of which was forwarded as enclosure number 2 with Legation's despatch number 103 and dated August 25th,[28] and until a reply to this note is made by the Government of the United States it is considered by Liberia that the assumptions expressed therein prevail and affairs will be conducted accordingly. Secretary of State also complained that there were unusual long delays in receiving replies to the notes of Liberian Government addressed to the Government of the United States through the Legation and that many a time notes remained unanswered.

In view of the above Legation thinks, if it is in harmony with Department's policy, present conditions require that reply will be as promptly as possible to Liberian Government's note of August 31st [*21st*] last.

BUNDY

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[28] Despatch and enclosure pp. 88 and 90, respectively.

882.51/1198 : Telegram

The Chargé in Liberia (Bundy) to the Secretary of State

MONROVIA, *October 27, 1920—11 a.m.*
[Received 1:45 p.m.]

80. Note dated October 25 received from the Liberian Secretary of State as follows:

"Pursuant to the provisions of an act passed at the call session of the National Legislature of Liberia approved August 19th, 1920, I have the honor to advise you that His Excellency the President has appointed Secretary of State Edwin Barclay, Associate Justice F. E. R. Johnson and Honorable J. L. Morris as commissioners to the Government of the United States to continue negotiations in connection with the proposed $5,000,000 credit. It is hoped that this commission would be able to proceed to Washington in the early days of November. The Government of Liberia would be pleased if you could ascertain from Washington whether such mission would be acceptable."

Please instruct Legation as to reply Department desires made to this note.

BUNDY

882.51/1200

The Liberian Consul General at Baltimore (Lyon) to the Secretary of State

BALTIMORE, *October 30, 1920.*

SIR: I am instructed by my Government, to respectfully submit for your careful consideration, certain perplexing conditions which have grown out of the Loan proposition, as it appears in its present form.

I am instructed also, to assure you of my Government's sincere appreciation of the deep interest, which the Government of the United States, at all times has manifested in the welfare of Liberia and its peoples. And in order that there should be no obstacle in the way of the continuance of that interest in the future, my Government covets sincerely the privilege of a conference, through a duly appointed Commission, authorized by the Legislature of Liberia, to discuss further with you any misunderstanding which might have arisen in the interpretation of the Loan proposal, calculated to interfere with the good feeling and comity which have always existed between the two Governments, and also to suggest certain amendments which will harmonize with the spirit of the Constitution of Liberia.

Immediately upon the submission of the "Proposed Plan for the rehabilitation of Liberia",[29] on the 15th of June ultimo, a Special Session of the Legislature was convened, by the President, on the 19th of July following. After due deliberation, the Legislature reached the conclusion, that the scheme as proposed, in its present form, violated the Constitution of Liberia and was out of harmony with the wishes of the people of the country.

The Legislature, being of the opinion that the wishes of Liberia had not received the consideration which they deserved and believing that these desires had been misinterpreted to the State Department, by its Financial Agent, it passed a resolution authorizing the President of Liberia to continue the negotiations with the Washington State Department, by means of a Special Commission.

It appeared, however, that before the Legislature had come to a decision on the question pending, the Legation had taken steps, by strange methods, to force the acceptance of the Plan. It sent a despatch dated August 14th (Copy of which is hereunto attached)[30] to the Government of Liberia, by which it was practically advised that no amendments would be accepted by the Government of the United States and further threatened that if Liberia did not accept the advice and warnings of the Washington State Department, the Government of the United States would remove its objections to the establishment of a mandate over Liberia.

The knowledge of the contents of this cable, having been given out to the public and by all indications, even before the Government of Liberia had been apprised of its contents, created a feeling of resentment and distrust, which threatened to interfere seriously with the benevolent and helpful purpose of the United States Government.

The Legation further attempted to array the Vice-President against the President of the Republic and to use political methods in forcing the acceptance of a plan in which the future of Liberia and its peoples was involved.

Conditions in Liberia, by reason of these and other unfortunate happenings, together with the attitude of the Financial Adviser, have produced a situation, unpleasant in the highest degree. Many of the American Officers, who were loaned to the Liberian Government, the Department is aware, have returned to America, displeased and dissatisfied—not with the Liberian Government and people—but with conditions as obtained under the present management.

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[29] *Ante*, p. 55.

[30] Not found in the Department files; see telegram no. 38, Aug. 2, 1920, to the Chargé in Liberia, p. 84, and despatch no. 103, Aug. 25, 1920, from the Chargé, p. 88.

It is evident that there is a lack of confidence between the Legation and the Government of Liberia, herein indicated. For these reasons, I am instructed to ask, the Honorable Secretary, to receive the Special Commission, authorized by the Legislature, to continue the negotiations for the purpose of removing the misunderstandings, in order to harmonize the Plan with the wishes of the Liberian Government and people, so as to make it acceptable, as a practical scheme under which positive benefits would accrue to the country. Liberia cherishes the hope that a satisfactory understanding will be reached thru the good offices of Your Excellency, that the affairs of the Republic may again assume its normal status.

With distinguished consideration and respect for your great office.

I have [etc.] ERNEST LYON

882.51/1201

The British Ambassador (Geddes) to the Acting Secretary of State

No. 710 WASHINGTON, *November 1, 1920.*

MY DEAR MR. ASSISTANT SECRETARY: Mr. Sperling [31] has informed me of the substance of his conversation with you on the 28th ultimo in so far as it touched on Liberia.

While I do not wish to raise the matter officially, I regard it as absolutely necessary that some explanation should be furnished of the failure to pay the coupons of the Liberian Gold Loan of 1913 [*1912?*] in spite of the fact that according to our information sufficient funds for this purpose exist. In support of this latter statement I may mention that I understand that the sum of $87,000 was remitted to the Fiscal Agent of the Loan between November, 1918 and November 1919, the amount required to pay a year's interest on the outstanding bonds being $72,900, while according to a recent report the sum of £20,000 has been remitted this year.

This latter amount is I believe sufficient to meet the coupons due in July, 1919 and January, 1920. Failure to meet these coupons is attracting attention in the British press and it is for this, among other reasons, that I am anxious that something should be done if not to satisfy the bondholders, at least to enable my Government to explain to them the reasons for which it is not practicable to meet the obligations of the Loan in full.

Believe me [etc.] A. C. GEDDES

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[31] R. A. C. Sperling, of the British Foreign Office, in the United States as member of the British delegation to the Preliminary Conference on the International Conference on Electrical Communications, held at Washington in 1920.

882.51/1193 : Telegram

The Acting Secretary of State to the Chargé in Liberia (Bundy)

WASHINGTON, *November 1, 1920—3 p.m.*

51. Your 73, October 21, 8 am.

Department approves the attitude of the Financial Adviser in stating to the manager of the Bank of British West Africa that an attempt of the Liberian Government to raise a loan without first consulting with him would be a violation of the provisions of the Reform Program and the 1912 Agreement. Should the Department subsequently agree to receive the proposed commission, the Financial Adviser should then approve loan.

DAVIS

882.51/1200a : Telegram

The Acting Secretary of State to the Chargé in Liberia (Bundy)

WASHINGTON, *November 2, 1920—5 p.m.*

53. Although British are informed draft twenty thousand pounds sent London August they state Worley not transmitting all receipts Receivership for payment bond holders. Telegraph whether he holds at present, funds accruing from Receivership. If so their amount and why.

DAVIS

882.51/1169 : Telegram

The Acting Secretary of State to the Chargé in Liberia (Bundy)

WASHINGTON, *November 2, 1920—7 p.m.*

54. Your 59, August 21, 8 p.m. [*a.m.*]

(1) Has Legation ever received official communication from Liberian Government of the action taken at special session of Legislature called to consider loan plan?

(2) This Government finds it difficult to understand the opposition which has been shown by Liberia to the proposed loan plan, especially as the matter was thoroughly discussed in 1919 at Paris with President King and assurances given by him of his approval and support of the loan. It is very difficult furthermore to understand why the Legislature should have passed a resolution regarding this plan without any information having been communicated at once to the Legation. The Department desires that you will seek an early opportunity of stating orally to the President the above considera-

tions and inform him that the American Government has learned with surprise of his strong opposition to the loan plan and cannot understand his unwillingness to state frankly the objections which have been found to the proposed agreement and that his attitude reflects, not only an unfriendly spirit, but a lack of consideration which the United States rightly expected from the Chief of State of a friendly nation. You will point out that the present financial and economic condition of Liberia is reported to be deplorable and that no possibility presents itself for Liberia to extricate itself unaided from its present difficulties. This Government, prompted solely by its friendly interest in and unselfish desire to aid Liberia, offered the proposed loan under a most equitable and sound arrangement. Although Liberia is sorely in need of the assistance offered this Government has no desire to force a loan on Liberia. It must know however what Liberia proposes to do.

(3) Your 80 October 27th. Communicate following to Liberian Government. This Government had previously learned with surprise from unofficial sources of the intention of the Liberian Government to send a commission to Washington to discuss the amendments to the loan plan. It viewed this project with concern since it involves heavy expenditure only to be met by further placing the Liberian Government in debt. It felt the views of the Liberian Government could readily and most easily be brought to the Department's attention through the Legation which has always been the channel of communication in such matters. However, if the desire of the Liberian Government to send a commission to Washington was in any way based upon a feeling that it could more frankly and honestly express to the Department its views on any and all subjects concerning the welfare of Liberia by such method, the Department would be disposed to meet the wishes of the Liberian Government in this respect. Since, however, negotiations growing out of such an arrangement would involve great expense and a serious delay in rectifying Liberia's difficulties, this Government would expect and require that the said commission be fully authorized to reach a definite agreement which would be accepted and put into force without delay by the Liberian Government. Furthermore, inasmuch as President King is authorized to negotiate with this Government and inasmuch as he is thoroughly familiar with the whole subject, after having discussed the matter previously with the Department of State and at Paris, this Government would be glad to see the commission headed by President King and would accord him a cordial reception.

DAVIS

882.51/1208 : Telegram

The Chargé in Liberia (Bundy) to the Secretary of State

MONROVIA, *November 13, 1920—9 a.m.*
[Received 10 p.m.]

84. Department's 53, November 2, 5 p.m. General Receiver states that he remitted November 6th to London 8000 pounds sterling for account Fiscal Agents 1912 loan and that this leaves receivership with small working balance of about 1000 pounds sterling on hand.

BUNDY

882.51/1209 : Telegram

The Chargé in Liberia (Bundy) to the Secretary of State

MONROVIA, *November 17, 1920—3 a.m.*
[Received November 18—3 : 10 a.m.]

86. Department's 54, November 2, 7 p.m.

1. Legation has not received any official communication from Liberian Government relative to action taken at special session of Legislature called to consider loan plan.

2. Oral representations in precise terms of the second paragraph of the instructions were made to President King. He will doubtless suppress fact that the representations were made and change neither his opinions nor attitude as result of them. So far as learned, he has not yet mentioned them to the Cabinet.

3. Legation in a note communicated to the Liberian Government 3d paragraph of the instruction. Reply of Secretary of State says:

"I have to express the appreciation of the Liberian Government for the views expressed by Washington, and to say that in consequence of the requirement that the commission should be fully authorized to reach a definite agreement which would be accepted and put into force without delay by the Liberian Government, the departure of the commission will be postponed until the Legislature, which will meet within a few weeks, gives authorization in the sense suggested by Washington. The Legation will be informed when the commission will sail."

BUNDY

882.51/1198 : Telegram

The Secretary of State to the Chargé in Liberia (Bundy)

WASHINGTON, *November 17, 1920—4 p.m.*

57. Your 80, October 27, 11 a.m.

As regards Department's attitude concerning Liberian Commission, see its 54, November 2, 7 p.m. to which the Department awaits your early answer.

You will inform the Secretary of State that the Department has already indicated to him, through your intermediation its attitude in regard to the proposed commission. But now that the nomination of the commission has been brought officially to the attention of the Department of State it desires to point out that the Liberian Government appears to have failed to comply with certain provisions of the Reform Program of 1917, which require communication and consultation with the Financial Adviser in matters affecting the finances of the Republic. The Department does not doubt but that this situation will be regularized without delay.

See your written despatch No. 112, September 24.[33]

COLBY

882.51/1226

The Chargé in Liberia (Bundy) to the Secretary of State

No. 137 MONROVIA, *December 1, 1920.*

[Received January 3, 1921.]

SIR: I have the honor to report that immediately upon the receipt of the Department's cable No. 57, dated November 17, 4 p.m., the Legation addressed a note to the Secretary of State of Liberia pointing out the apparent failure of the Liberian Government to comply with certain provisions of the Reform Program of 1917 in the steps it had taken to make a loan of the Bank of British West Africa, Ltd., without consultation with the Financial Adviser. It was also suggested that the Department did not doubt that the Liberian Government would regularize this situation without delay. (enclosure No. 1.).[33]

The reply of the Secretary of State attempts to justify the course taken by the Liberian Government in this matter. To the Legation his arguments do not seem convincing and as the Financial Adviser has pointed out quite clearly the discrepancies in the position of the Secretary of State it appears unnecessary that anything further should be added on this point. A copy of Secretary Barclay's reply was furnished the Financial Adviser by the Legation in order that he might give his version of the matter. (enclosures 2, 3, 4.).[34]

The Legation understands that the Liberian Government regards itself as having asked the approval of the loan by the Financial Adviser. Even if this may now be conceded it is to be noted that such approval was not asked until all the arrangements for the loan were completed.

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[33] Not printed.

[34] Enclosures 3 and 4 not printed; enclosure 2 printed as an enclosure hereto.

However, in view of the suggestion of the Department in its cable No. 51, of Nov. 1, 3 p.m., which was duly communicated to the Financial Adviser, that he should approve the loan if the Department agreed to receive the proposed commission, the Financial Adviser states that he will not further oppose the loan being made.

I have [etc.] RICHARD C. BUNDY

[Enclosure]

The Liberian Secretary of State (Barclay) to the American Chargé (Bundy)

565/D MONROVIA, *November 24, 1920.*

SIR: I have the honor to acknowledge receipt of your Note of November 19th, 1920, by which I am advised in connection with the Commission which the Government of Liberia desires to send to Washington that it appears to the Washington State Department that the Liberian Government in this connection have failed to comply with certain provisions of the Reform Program of 1917, which require communication and consultation with the Financial Adviser on all matters affecting the Finances of the Republic.

In reply I beg to say that it appears to the Liberian Government that the State Department has been misinformed as to the facts of the case.

It is submitted most respectfully that the appointment of a commission such as that which the Government of Liberia desire to send to Washington, is an act political in character to which the Program of Reforms of 1917 has no pertinency. The Liberian Government therefore did not conceive and do not now admit that political acts of this kind should be subject to the approval or disapproval of an official whose functions are purely financial. When, however, the law authorizing the appointment of such a commission was passed by the Legislature, the Government recognized that the question of finding means for meeting the expenses of such a Commission, was one which properly should be submitted to the Financial Adviser for his advice and suggestion as to the manner in which this money could be raised without disturbing the existing financial situation. Accordingly, on the 30th of September 1920, the Secretary of the Treasury addressed a letter to the Financial Adviser by which this latter official was informed of the action taken by the Legislature with respect to the Loan Plan and their authorization of a Commission to confer with Washington thereon, and asking Mr. Worley to confirm a provisional arrangement which had been made by the Treasury Department for the purpose of raising funds to meet the expenses of the said Com-

mission. To this request, the Financial Adviser gave a categorical refusal without stating any reasons.

Subsequently, the Financial Adviser was asked to attend a Cabinet meeting held on the 19th of October at which the whole question was gone into. At this conference the Financial Adviser admitted that "up to a certain point" he had been made cognisant of what action the Liberian Government had taken on the Loan Plan, but refused to give his sanction to the proposed loan based upon the internal revenues unless he received authority from the United States Government.

The Financial Adviser then it would appear from these facts was made fully conversant with every action of the Government taken in connection with the Loan. He would however seem to have demanded that he should decide upon the question of the propriety of sending a Commission to America and to have felt that he had a right to veto any act of the Government taken in this connection if his authorization had not previously been requested. This was a view which the Liberian Government could not admit and which it is submitted was not contemplated in the Program of Reforms.

I may however add that the Financial Adviser has already been furnished with copies of the Acts passed by the Special Session of the Legislature convened in July 1920 for the consideration of the Loan proposals. From these acts it can be readily seen that no law directly or indirectly affecting the finances of the Republic, except in so far as was related to furnishing means for the expenses of the Commission, were passed and that this latter question was submitted to the Financial Adviser, in compliance with the terms of the Program of Reforms.

I have [etc.] EDWIN BARCLAY

882.51/1218 : Telegram

The Acting Secretary of State to the Minister in Liberia (Johnson)

WASHINGTON, *December 17, 1920—7 p.m.*

65. Department's 57, November 17, 4 p.m. and your despatch No. 124, October 25.[36]

You will inform Secretary of State that this Government considers the loan which it would appear the Secretary of the Treasury has recently made with the Bank of British West Africa has been negotiated in violation of the Program of Reform of 1917, accepted

[36] No. 124 not printed.

by the Liberian Government. You will advise the Secretary of State that this Government desires an immediate explanation of why in this instance the provisions of the Reform Program were ignored.

DAVIS

882.51/1219 : Telegram

The Acting Secretary of State to the Minister in Liberia (Johnson)

WASHINGTON, *December 17, 1920—8 p.m.*

66. The Department has recently had several informal conversations regarding Liberia with a member of the British Foreign Office who was a delegate to the Communications Conference at Washington. He was made acquainted with the efforts of British commercial interests in Liberia to bribe members of the Government of Liberia to oppose the acceptance of the American loan plan. He was informed of the disinterested desire of the American Government to aid Liberia in rehabilitating its commercial and financial situation, and that the United States was desirous of seeing the open door system applied to Liberia, but despite this fact there was a strong opposition on the part of the President of Liberia and other high officials to accepting the loan from the United States. He gave us definitely to understand that his government dissociates itself from the activities of the British commercial interests in Liberia which are influencing that Government against the acceptance of the American loan and he stated immediately on his return he would take up the matter of the British Government sending like assurances to the Liberian Government. You will endeavor to ascertain if any such contemplated action is taken by the British Government at Monrovia and if so to report fully by cable the nature of the communication made to the Liberian Government and the effect it produces.

DAVIS

882.51/1220 : Telegram

The Minister in Liberia (Johnson) to the Acting Secretary of State

MONROVIA, *December 21, 1920—noon.*

[Received December 22—12:42 a.m.]

97. Department's 65, December 17, 7 p.m. Legation addressed note to Liberian Secretary of State containing views in the Department's 57 November 17, 6 [4] p.m. Reply of Secretary of State attempts to justify procedure of Liberian Government in negotiating loan

with Bank of British West Africa and should not prevent [compliance] with terms of Reform Program of 1917. Copy of reply of Secretary of State furnished Financial Adviser who was requested to make statement relative thereto. Statement of Financial Adviser points out discrepancies in arguments of Secretary of State. Copies of all above mentioned correspondence have been transmitted to Department with [Legation's] covering despatch 137 dated December 1st, now *en route*.[37] It therefore, seems advisable to suggest that no action be taken on instruction 65, December 17, 7 p.m. until after Department has received and examined despatch 137.

JOHNSON

RECOMMENDATIONS BY THE UNITED STATES GOVERNMENT LOOKING TOWARD A STRICTER OBSERVANCE OF THE 1917 PROGRAM OF ADMINISTRATIVE REFORM[38]

882.602/27

The Secretary of State to the Minister in Liberia (Johnson)

No. 55 WASHINGTON, *October 23, 1919.*

SIR: The receipt is acknowledged of Mr. Bundy's despatch No. 226, of July 2, 1918,[39] with enclosures relative to the granting of concessions in Liberia, in which quite unusual practices by the Liberian Government are pointed out in general, and specifically the refusal of the Liberian Government to refer to the Financial Adviser, as required by the act of the Liberian Legislature approved August 7, 1917, a certain application of the Mountain Mining Company for an amendatory concession.

The Financial Adviser to Liberia having been designated by the President of the United States on the request of the Government of Liberia and in accordance with a loan contract between American financiers and the Liberian Government for the purpose of aiding in the rehabilitation of the finances of Liberia, this Government is deeply interested in matters concerning the functions of the Financial Adviser.

You may intimate to the Liberian Government, that, because of this Government's interest in the matter and of the relation of concessions to the financial resources and assets of the country and their bearing on financial and economic rehabilitation, this Government would view with serious concern the refusal of the Liberian authorities to receive the cooperation and advice of the Financial Adviser

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[37] *Ante*, p. 106.

[38] For papers concerning the administrative reform of 1917, see *Foreign Relations*, 1917, pp. 877 ff.

[39] Not printed.

and their refusal to refer to him applications for concessions for investigation and favorable report in accordance with the requirements of the law of August 7, 1917.

You may further say to the Liberian Government that it was the view of this Government in participating in the draft reform program provisions relating to concessions and that it is the interpretation of this Government of the Act of the Liberian legislature of August 7, 1907 [*1917*], enacted under that reform program, that all applications for concessions or amendments thereof should be promptly referred to the Financial Adviser of Liberia and that no action should be taken thereon until the favorable report of the Financial Adviser had been received.

You are advised confidentially that the subject matter of this instruction has been informally discussed with President-elect C. D. B. King upon the occasion of his recent visit to Washington.

I am [etc.]

For the Secretary of State
ALVEY A. ADEE

882.032/23

The Secretary of State to the Minister in Liberia (Johnson)

No. 58 WASHINGTON, *December 9, 1919.*

SIR: Full and mature consideration has been given to the Legation's despatch of March 25, 1918, No. 199, and to the enclosure from the Financial Adviser of Liberia, dated March 15, 1918.[40] You may say to the Liberian Government that the Department is distinctly disappointed that the Legislature has shown itself unwilling to take advice or suggestions from either the Financial Adviser or the Executive Branch of the Liberian Government.

In 1908 the Liberian Government sent a Commission to the United States to enlist the interest of this Government and its financial assistance at that time of great need.[41] The Commission made certain requests, *inter alia*, for advice as to needed reforms. In 1909 the United States Government sent a Commission to Liberia to make certain investigations and this request of Liberia for suggested reforms was again repeated to this Government as one of the things sought by the Liberian Government.[42]

Acting upon this reiterated request of the Liberian Government, financial and other assistance was granted to Liberia, and sugges-

[40] Neither printed.
[41] See *Foreign Relations*, 1910, pp. 694 ff.
[42] See *ibid.*, pp. 699 ff.

tions have from time to time been made as to definite reforms needed in Liberia. Before taking more advanced steps in the interests of Liberia, this Government has been taking note of the manner in which the Government of Liberia carried out its part of the Program and received and acted upon the suggestions of reforms which had been invited by Liberia.

The Department is very pleased to note that with possibly one or two exceptions the Executive branch of the Liberian Government has apparently endeavored to show its appreciation and its desire to receive further assistance and develop closer relations. As pointed out in the Reform Program, transmitted with instruction No. 23, April 4, 1917,[43] the Legislature of Liberia, on the other hand, has, unfortunately, never shown this same spirit of friendly cooperation. The Department regrets to note that since the receipt by the Liberian Government of the Reform Program the Legislature has continued its former attitude.

As the Legislature is a coordinate branch of the Liberian Government, the Department cannot but take cognizance of its attitude and policy which is apparently calculated to nullify the provisions of the Reform Program as they apply to the Legislative Branch of that Government and to set at naught the functions of the Financial Adviser in that Program.

You are authorized to bring the foregoing observations to the notice of the Liberian Government with an expression of the Department's hope that there will be no need to again call attention to any unfriendly attitude or lack of cooperation on the part of any branch of that Government.

I am [etc.] ROBERT LANSING

882.00/626 : Telegram

The Minister in Liberia (Johnson) to the Secretary of State

MONROVIA, *December 26, 1919—5 p.m.*
[Received 6:38 p.m.]

Department's diplomatic instructions number 23 dated April 4, 1917,[43] contained suggestion that War and Interior be combined under one head. Instead of following this suggestion Liberian Legislature at call session 1917 combined by law Interior and Education Departments. After Legislature adjourned President by Exec-

[43] *Foreign Relations*, 1917, p. 877.

utive order assigned duties of Secretary of War to the head of Interior and Education Departments. Thus three Departments have been operating under one head. President Howard verbally informs me that President-elect King has advised him that next administration would again establish Education Department and separate War from Interior and each of these three Departments would have head of Cabinet rank. It has been intimated that Department was approached on this matter by Mr. King and as no expression was made against this procedure it would be adopted. With reference to foregoing Legation respectfully requests instructions for its guidance particularly as to separating War and Interior Departments. No reasons are known to Legation making it inadvisable to establish again Education Department.

JOHNSON

882.00/626 : Telegram

The Secretary of State to the Minister in Liberia (Johnson)

WASHINGTON, *January 7, 1920—3 p.m.*

3. Your December 26, 5 p.m.

Department believes it is very important that administrative expenses of Liberian Government be maintained at a minimum. Department still of opinion that War and Interior should be combined under one head and that Education should continue with those Departments, at least for time being.

Any deviation from Reform Program should be made only with concurrence Worley and after submission to Department.

LANSING

882.00/632 : Telegram

The Minister in Liberia (Johnson) to the Secretary of State

MONROVIA, *January 20, 1920—8 a.m.*

[Received 8:22 p.m.]

5. The views of the Department relative to War, Interior and Education Departments remaining combined under one head as outlined in Department's cable January 3 [7], 3 p.m. were communicated to Liberian Government.

In his reply Secretary of State says; 1st, President of Liberia confirms officially his intention to separate three Departments mentioned and have each administered by Cabinet officer if [*as*] required

by Liberian Constitution; 2d, that this question was opened by Mr. Phillips with Mr. King and the latter fully and frankly stated his intention to establish again each of three Departments as above indicated and that Mr. King left the Department of State with distinct impression that his expressed intentions were approved by the Assistant Secretary of State; 3d, that proceeding on this impression President nominated and Senate confirmed a Cabinet minister to administer each of three Departments under discussion; 4th, that Department's suggestion to keep War, Interior and Education Departments combined places President King in most embarrassing position; 5th, Liberian Government indorses view that any deviation from reform program should be made only with concurrence Financial Adviser and after submission to the Department. This indorsement however is limited to the application of this procedure only to such suggestions in reform program as were accepted and adopted by Liberian Government.

Worley's observations on foregoing as follows: Fact that three Departments were combined by act of Legislature and Executive order by the President is sufficient evidence that Liberian Government accepted and adopted this particular item of reform program. Argument of Secretary of State as to constitutional provision requiring three separate Departments is subterfuge. Constitution mentions only Departments and no provision exists therein making it unconstitutional to combine three Departments. Also please see section 9 article 5 of Constitution, obviously motive behind attempt to separate Departments is desire of President to create offices mainly for political purposes. Financial Adviser and Legation advised President of Department's suggestion to keep three Departments combined before his nominations were confirmed by Senate but advice ignored. If President of Liberia succeeds in separating Departments and elects what suggestions in reform program Government may adopt then presence of American administrative assistants is useless and rehabilitation Republic impossible. This matter may be considered test case and if Department withdraws from position already taken or compromises, American prestige here gravely implicated and position American agents shortly would be untenable.

Under the circumstances Worley earnestly recommends that Department authorize statement to Liberia that sanction cannot be given to budget which includes salary for more than one Cabinet minister to administer War, Interior and Education Departments.

Legation concurs in above and is entirely in accord with Worley's views and recommendations.

JOHNSON

882.51/1052 : Telegram

The Minister in Liberia (Johnson) to the Secretary of State

MONROVIA, *January 22, 1920—10 a.m.*
[Received 11:58 p.m.]

6. Referring to Legations cables of December 16, 8 a.m. and December 26, 11 a.m. and Department's December 22, 5 p.m.[43] Financial Adviser informs Legation that both Houses of Legislature have passed an act making following annual increases in allowances.

President, $500 and Vice President $200; also salaries are raised to amounts per annum as follows: Each Cabinet member $2500 and each member of Legislature $1200. Act further repeals legislation passed during war which retrenched salaries and other public expenditures—see acts March 12, 1915 and August 15, 1917. This act has been passed by Legislature without advice or approval of Financial Adviser and in spite of urgent representations of Legation as to Department's views on this subject.

Also an act has been passed by both Houses of Legislature granting application of Mountain Mining Company for concession to construct railways and carry on any other business including banking. This application has never been referred to Financial Adviser for his report. It is persistently rumored that Chief Justice of Supreme Court has by use of substantial sums of money, reported obtained from British source, secured passage of act granting this concession. See Legation's despatches number 296, diplomatic, of January 26, 1919 and number 226, diplomatic, of July 2nd 1918[44] and Department's instructions number 55 of October 23, 1919.

President of Liberia has indicated to Financial Adviser that he will veto both of these acts but there is no assurance that Legislature may not promptly pass them again over President's veto.

In view of foregoing it is urgently recommended by Legation and Financial Adviser that Department authorize statement to the Liberian Government that unless these acts are immediately nullified and a procedure hereafter observed in conformity with reform program and suggestions of Department, loan negotiations will be suspended at once and not be resumed on their present basis.

Legation advised Legislature will adjourn January 30th. Therefore an immediate expression from Department imperative.

JOHNSON

[43] None printed.
[44] Neither printed.

882.51/1052 : Telegram

The Acting Secretary of State to the Minister in Liberia (Johnson)

WASHINGTON, *January 26, 1920—7 p.m.*

7. Your No. 6, January 22, 10 am.

You should strongly convey to the Liberian Government the very unfortunate impression which the reported action of the Liberian Legislature has made on the Department at the very moment when this Government, in evidence of its sincere and disinterested friendship for Liberia, is bringing to completion the plans for thoroughgoing financial and economic rehabilitation of the Republic. In the view of this Government, the attitude of the Liberian Legislature is most inopportune and inappropriate and shows a regrettable lack of desire to cooperate and is distinctly at variance with the announced policy of the Liberian Government. The Department is unwilling to believe that the reported action of the Legislature represents the mature and considered judgment of the Republic but is constrained to say that unless the acts referred to are immediately nullified and assurance given of the intention to conform to the principles outlined in the Reform Program, and notably the submission to the Financial Adviser of proposed concessionary legislation, this Government will be under the necessity forthwith of suspending all further plans and negotiations for the proposed American loan.

POLK

882.51/1057 : Telegram

The Minister in Liberia (Johnson) to the Secretary of State

MONROVIA, *January 30, 1920—3 p.m.*
[Received January 31—11:43 a.m.]

8. General Receiver informs Legation as follows: Levels [*sic*] has appointed new collector of customs and other customs officials at port of Monrovia and states his intention to make many removals and appointments in customs service at other ports of the Republic. President declines to confer or consult with General Receiver about changes made or contemplated. Evidently changes are made solely for political reasons. Procedure of President is producing state of chaos and disorganization in customs service. General Receiver feels that he cannot assume responsibility for customs service if its personnel may be arbitrarily changed at pleasure of President without reference to him. Any attempt with means at hand to disregard

President's appointments or to prevent unwise changes is sure to cause open rupture with President and serious results to customs service. General Receiver has conferred with President about unfortunate effect his policy of making changes surely have on customs service but no assurance can be gotten that it will be discontinued. Previous administration receivership based changes and promotions on efficiency and President confirmed them. Departing this procedure gravely impairs security of present and proposed loans.

General Receiver asks what he should do in the premises.

JOHNSON

882.51/1057 : Telegram

The Secretary of State to the Minister in Liberia (Johnson)

WASHINGTON, *February 5, 1920—5 p.m.*

10. Your 8, January 30, 3 p.m.

Also attention of Mr. Worley.

Department is greatly disturbed by seemingly changed attitude of Liberian Government since inauguration of King administration as indicated in your several telegrams. The disposition is apparent to increase expenditures very generally and to ignore the recommendations of the Financial Adviser. This Government naturally cannot countenance such an attitude if it exists. Please advise fully and frankly your impressions and views.

LANSING

882.51/1063 : Telegram

The Minister in Liberia (Johnson) to the Secretary of State

MONROVIA, *February 7, 1920—7 a.m.*

[Received February 8—10:06 p.m.]

12. Legation promptly communicated to Liberian Government the views of the Department precisely as expressed in its January 26, 7 p.m. relative to action of Legislature in passing two acts mentioned Legation's January 22, 10 a.m. I am now officially informed by the Liberian Minister for Foreign Affairs that Legislature has repealed act granting Mountain Mining Company concession and act making annual increases in salaries and allowances of Liberian officials. He further said "It is to be hoped that prompt manner in which Legislature acceded to the views of your Government will tend to assure the State Department that they desire to cooperate with your Government and conform to the understandings which have been mutually agreed upon between the two Governments."

Legation reliably informed that it required all the pressure President could exert to secure repeal of these acts. However it was evident that the Liberian people did not approve position taken by Legislature in passing acts in question.

JOHNSON

882.51/1065 : Telegram

The Chargé in Liberia (Bundy) to the Secretary of State

MONROVIA, *February 13, 1920—2 p.m.*
[Received February 14—1:05 p.m.]

15. Legislature has confirmed President's nominations of Secretary of the Interior and Secretary of Education but for local political reasons nomination of Secretary of War not confirmed. Legation and [Financial] Adviser believe authorized statement that Department cannot sanction a budget which includes salary for more than one Cabinet minister for War, Interior, and Education Departments would probably cause position of Secretary of War to remain vacant and duties of this office would be assigned to Secretary of the Interior. As to the Secretary of Education, an effort would likely be made to keep him in office but if no salary is provided he would probably resign. It is through [*thought*] authorized statement in question would not seriously disturb either American–Liberian relations or loan negotiations. If this statement could be made in connection with an expression as to Treasury's desire to guarantee Liberian budget within limits for absolutely necessary expenses only it would lessen likelihood of unfavorable impressions. Combination War and Interior Departments so logical and desirable that general public apparently has no interest in effort to keep them separate and no public objection would likely be raised to adding Education to combination if it is emphasized that this arrangement is temporary and reestablishment of Education as separate Department would be favored as soon as Republic's revenues would permit.

BUNDY

882.51/1065 : Telegram

The Acting Secretary of State to the Chargé in Liberia (Bundy)

WASHINGTON, *February 19, 1920—3 p.m.*

13. Your 15, February 13, 2 p.m.

As under the proposed financial plan the Treasury is, within certain limitations, to meet the Liberian budget for absolutely necessary

expenses, sanction cannot be given to a budget which would include salary for more than one cabinet minister for War, Interior, and Education Departments.

If it seems absolutely necessary and if Worley approves, you may state that as soon as Liberian revenues permit it is hoped that Education may function as a separate department rather than combined with Interior and War. It is noteworthy, however, that this Government itself does not have a separate department of Education.

POLK

882.00/636 : Telegram

The Minister in Liberia (Johnson) to the Acting Secretary of State

MONROVIA, *February 27, 1920—9 a.m.*
[Received February 28—5 : 55 a.m.]

23. Act fixing salaries and allowances of Commissioner General and Commissioners of Interior was passed by Legislature. Financial Adviser says this act was drafted and passed without his knowledge. Legation informed act is President's measure. Act creates District Commissioners of the Interior of the second class each to receive $2000 salary and $500 allowance per annum and District Commissioners of the Interior of the third class each to be paid $1000 allowance per annum. Legation understands interim commissioners of second and third class are to be Liberians but number to be appointed not stated in act. It is quite probable that more will be appointed than are necessary. Doubtless President will be sole judge of number and qualifications of appointees. As no plan of organization of interior administration has yet been adopted legislation creating offices above cited is untimely and may render any effective reforms in interior impossible since President will likely make several appointments under authority of this act in near future.

JOHNSON

882.72/– : Telegram

The Minister in Liberia (Johnson) to the Acting Secretary of State

MONROVIA, *February 27, 1920—1 p.m.*
[Received 11 : 45 p.m.]

24. In spite of urgent advice of Legation and Financial Adviser to contrary Legislature passed act granting concession to French Cable Company at Monrovia to construct and operate for 30 years line

of telegraph to serve all 58 towns along coast from Cape Mount to Cape Palmas and thence to French Ivory Coast. It is understood that President gave strong encouragement to Legislature to pass this concession. To carry out certain conditions of this concession employees and buildings where available of the Liberian Post Office Department, may be utilized by company.

President has indicated informally his intention to approve act granting this concession. Legation and Financial Adviser, however, believe most emphatically that act should be vetoed and have so told him.

JOHNSON

882.602/34 : Telegram

The Minister in Liberia (Johnson) to the Acting Secretary of State

MONROVIA, *February 28, 1920—2 p.m.*
[Received February 29—4:20 p.m.]

26. Referring to Department's diplomatic instructions number 55 dated October 23, '19.[45] Legation communicated to the Liberian Government Department's interpretation of the act of Liberian Legislature approved August 7, 1917 relative to granting concessions. Legation emphasized Department's view that no action should be taken by the Legislature on any application for concessions and of amendment of concessions until favorable report of the Financial Adviser thereon had been received. Replying January 19, Secretary of State declines to accept Department's interpretation of the act of August 7, 1917 and proposes that Liberian Government establish concessions board composed of three members, Financial Adviser always to be one, a member of the Executive Government of Liberia to be second, and these two select third member from general public. The purpose of board would be to examine and report with recommendations to Legislature on all applications for concessions. Legation has cause to believe that this proposal is of British origin and was advanced by Liberian Minister at London while in Monrovia during inauguration. Convinced that such a board would be worse than useless Legation and Financial Adviser strongly disapprove arrangements. For further details of this matter please see Legation's report by mail now *enroute*.[46]

JOHNSON

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[45] *Ante*, p. 110.
[46] Not printed.

882.00/636 : Telegram

The Acting Secretary of State to the Minister in Liberia (Johnson)

WASHINGTON, *February 28, 1920—6 p.m.*

16. Also attention Mr. Worley.

Your numbers 19, 20, 22, and 23.[47]

You are instructed to call, accompanied by Worley, on President of Liberia and say that this Government desires to know whether it is the intention of the Liberian Government to continue to pursue and sanction the methods outlined in your telegrams, thus ignoring the friendly advices of the United States and the principles laid down in the Reform Program of 1917.[48] A clear and unambiguous statement from the President is considered imperative at this time before further steps under the loan arrangement are taken.

POLK

882.51/1074 : Telegram

The Minister in Liberia (Johnson) to the Acting Secretary of State

MONROVIA, *March 2, 1920—1 p.m.*

[Received March 4—3:30 a.m.]

28. Department's 13, February 19, 3 p.m. Legation as instructed advised Liberian Government that sanction cannot be given to a budget which would include salary for more than one Cabinet minister for War, Interior and Education Departments. In a lengthy reply Secretary of State intelligently argues that an Education Department administered by a Cabinet minister is now absolutely necessary to deal with Republic's educational problem. President informally intimated in conversation that he would not yield position already taken in this matter. Nothing is said in reply of Secretary of State as to keeping War and Interior Departments combined but Legation construes silence on this point to mean that for the present no further objections will be offered to these two Departments remaining together under one Cabinet minister.

JOHNSON

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[47] Only no. 23 printed, p. 119.

[48] See *Foreign Relations*, 1917, p. 877.

882.72/–: Telegram

The Secretary of State to the Chargé in Liberia (Bundy)

WASHINGTON, *July 14, 1920—6 p.m.*

32. Legation's 24, February 27, 1 p.m.

Has concession mentioned therein been approved or vetoed by President?

COLBY

882.72/2: Telegram

The Chargé in Liberia (Bundy) to the Secretary of State

MONROVIA, *July 17, 1920—11 a.m.*

[Received July 18—2:19 a.m.]

47. Department's 32, July 15 [*14*], 6 p.m. Act passed by Legislature granting concession to French Cable Company mentioned Legations cable 24, February 27, 1 p.m. was approved by President. Said act appears in the recently published acts of the Legislature passed at its last session. Copies of these published acts were mailed with Legation's despatch number 83 dated June 23 [50] now *en route*.

BUNDY

882.72/2: Telegram

The Secretary of State to the Chargé in Liberia (Bundy)

WASHINGTON, *July 22, 1920—6 p.m.*

34. Your 47, July 17, 11 AM.

American Government notes with great surprise and concern, that concession to French Cable Company to construct and operate telegraph line connecting Liberian towns has been approved. It is the opinion of this Government that this public utility should be exclusively in Liberian hands and operated only by Liberian Government. It was intended to construct such a line from American Loan funds as soon as Loan Plan approved. The action of Liberian President in approving concession to French Cable Company without submittal to Financial Advisor and in spite of Financial Advisor's protest reported in your despatch No. 55, March 10 last [50] is in direct contradiction to Reform Program of 1912 [*1917?*] and is breach of faith in view of understanding with this Government upon

[50] Not printed.

this particular subject. The American Government regards this as a very serious matter as it cannot recognize the concession. You are instructed to bring the foregoing to the attention of the President of Liberia in the manner you consider the most efficacious and to ascertain what steps he intends to take in the matter.

COLBY

882.72/3 : Telegram

The Chargé in Liberia (Bundy) to the Secretary of State

MONROVIA, *September 14, 1920—8 a.m.*
[Received 7 : 47 p.m.]

65. In compliance with Department's cable instruction 34, dated July 22nd, 6 p.m. strong verbal representations have been made to President of Liberia. In reply he reaffirmed position already taken on the matter of granting concessions as communicated by the Liberian Government in its note to the Legation dated January 19th, 1920, copy of which was transmitted to the Department as enclosure number 2 with Legation's despatch number 40, dated February 14th, 1920.[51] With particular reference to concession granted French Cable Company to construct and operate telegraph line connecting Liberian towns, he stated that as this concession had been granted to a foreign company in a legal and constitutional manner he did not see that there were any steps Liberian Government could take to cancel or nullify it. He added however, apparently to lessen unfavorable impression his attitude might make, that he would be willing to consider suggestions from the Department. Incidentally he further stated that he had not agreed, and intimated he never would agree, to Department's interpretation of the act of August 7th, 1917, that no action by Legislature should be taken on application for concessions or amendments thereof until the favorable report thereon of the Financial Adviser had been received. Financial Adviser informs me that he was present at a conference between President King and Secretary Phillips last fall when former stated that it would be policy of his administration to adhere to Department's interpretation of the act of August 7th, 1917. Please see Department's mailed instruction to Legation number 55 of October 23rd, 1919 [52] for interpretation above referred to.

BUNDY

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[51] Not printed; see telegram no. 26, Feb. 28, 1920, from the Minister in Liberia, p. 120.
[52] *Ante*, p. 110.

882.72/4 : Telegram

The Secretary of State to the Chargé in Liberia (Bundy)

WASHINGTON, *September 30, 1920—5 p.m.*

48. Your 65, September 14, 8 a.m.

First: Worley's impression of the statement of President King to Mr. Phillips when calling at the Department last September has been telegraphed to Mr. Phillips who replies that his recollection of the interview is precisely that of Financial Adviser's.

Second: You will state to President King that Department has been informed of his refusal to receive the cooperation and advice of the Financial Adviser when the Liberian Government is considering applications for concessions and you will reiterate the understanding of this Government that all applications for concessions or amendments thereof should be promptly referred to the Financial Adviser of Liberia and that no action should be taken thereon until favorable report of the Financial Adviser has been received. You will inform him that the Department has taken the pains to verify, through Mr. Phillips, the American Minister to the Netherlands, then Assistant Secretary of State, its record of President King's agreement (*a*) to the Department's interpretation of the Act of August 7, 1917 and (*b*) to the carrying out by President King's administration of the policy contained therein. You will also inform him that the Government of the United States acted in reliance of [*on*] President King's good faith in carrying out such agreement, and not only considers it binding but also of vital importance in the protection of American owned obligations for monies lent to the Government of Liberia, and furthermore that any action approved by President King in derogation of the obligations thereby assumed cannot but be considered in the circumstances as an unjustifiable if not unfriendly act on his part. You will further state that the Department desires him to give careful consideration to its position and the possible consequences depending thereon and would appreciate a written statement explicitly defining his position and intentions in this matter.

COLBY

882.72/6 : Telegram

The Chargé in Liberia (Bundy) to the Secretary of State

MONROVIA, *October 24 [?], 1920—8 a.m.*

[Received October 25—1:20 a.m.]

72. The views of the Department as expressed in its cable number 48, dated September 30, 5 p.m., have been orally communicated to

President of Liberia and the Secretary of State who was present has furnished the Legation with a written memorandum of the conference setting forth the President's reply to the Legation's representations.

On the matter of President King's statement to Mr. Phillips when calling at the Department in September 1919, memorandum states:

"President King confessed himself to be at a loss to understand how the impression could have been made on Secretary Phillips' mind that he agreed to the spirit of Department's interpretation of the act of August 7th, 1917 and had promised to carry out the policy outlined therein. His recollection was clear that not only had he not agreed but had been at pain to explain to Secretary Phillips the reasons why he could not agree. It was a rather embarrassing position for him to be made to appear as having agreed to a proposition the evidence of which agreement being the more or less correct recollection by either Mr. Phillips or himself of facts which transpired at a conference at which only Mr. Phillips and he were present. He was compelled to say that he considered it a most unusual proceeding that he should have been placed under the impression that his conference with the Assistant Secretary of State was merely informal exchange of views, and unknown to him, a record should have been kept of the conversation and of his alleged agreements, which record had never been submitted to him for confirmation. Had he known that the conferences had been intended as a formal exchange of views he would have insisted upon the procedure usual in such circumstances being adopted."

Relative to question of whether President King would take steps to nullify the French cable concession to construct and operate telegraph line connecting Liberian towns [memorandum] states:

"The President repeated that he did not see what he could do. He had also asked for suggestion from Washington and stated that he was open to the consideration of such as might be submitted. Mr. Bundy must recognize that if the Liberian Government without legal or justifiable cause abrogate this grant, the French would claim an indemnity not only for the actual loss sustained but might also penalize the Republic for its action. We could not put up as an excuse that we were advised to this action by the United States Government."

With reference to the question of whether President King would now agree with the Department's interpretation of the act of August 7, 1917, memorandum states that:

"The President as a matter of principle could not concede that the veto power in the matter of concessions should be placed in the hands of any official in the employ of the Liberian Government which would result from the State Department's interpretation of the act of August 7, 1917. He would, however, agree to withhold his approval from any application for concession pending the favorable recommendation thereon from Washington through its Legation.

He further gave the assurance that pending the conclusion of negotiations in respect of the proposed loan credit of $5,000,000 he would not give his approval to any concessions. He hoped this would meet with the acceptance of the United States Government and assure them of the desire of the present Administration to act in harmony with the advice of Washington."

A copy of the memorandum will be promptly mailed Department.

BUNDY

882.72/5 : Telegram

The Chargé in Liberia (Bundy) to the Secretary of State

MONROVIA, *October 23, 1920—4 p.m.*
[Received October 25—12:37 a.m.]

77. Financial Adviser informs Legation:

1st. That French Cable Company here has filed application with Liberian Government requesting extension of certain rights of its concession to construct and operate telegraph line connecting Liberian towns which was granted by Legislature last February. This is concession mentioned in cable 41 [*47*], July 17, 11 a.m. and Departments 34, July 22, 6 p.m. and in other recent cable correspondence.

2d. That French group known as "Colonial Society for Commerce and Industry" has renewed its application for concession to build railway from Monrovia to Franco-Liberian boundary. Copies of original application for this concession were transmitted to Department with Legation's despatch number 10 dated October 25, 1919.[55] This is application which has been so energetically supported by the French Government.

Both of above applications with others to be reported later will come before Legislature in December.

BUNDY

882.72/6 : Telegram

The Secretary of State to the Chargé in Liberia (Bundy)

WASHINGTON, *November 17, 1920—3 p.m.*

56. Your 72.

Department regrets that there should be a difference of opinion in the understanding on the part of President King of the conversation with Mr. Phillips at the Department in September 1919, but the Department must adhere to its interpretation of the Act of August

[55] Not printed.

7, 1917, which it distinctly understood was agreed to by President King. The Department's interpretation of this act was only arrived at with the sole view of protecting the interests and welfare of Liberia. President King is evidently laboring under a misapprehension as to the diplomatic custom of submitting written statements of conversations held at foreign offices. While it is true that the conversation between Mr. Phillips and Mr. King was not a formal agreement entered into between the two governments, nevertheless even in informal conversations the assurances given by high government officials are invariably observed.

The Department notes, however, with satisfaction that President King expresses his willingness to endeavor to meet the Department's interpretation of the said Act in a friendly spirit and his assurances that he will not accord his approval to any applications for concessions until the proposed loan credit of $5,000,000 with the United States is concluded. In addition the Department is gratified to learn of President King's willingness to withhold his approval from any applications for concessions pending a favorable recommendation thereon from Washington. The Department considers that such a procedure might prove cumbersome and result in unnecessary delays detrimental to the interests of Liberia. Following out the spirit of President King's proposal, however, the Department suggests that, pending future arrangements, whenever the advice of the Financial Adviser on questions concerning the granting of a concession or the extension of a concession should not meet with the approval of the executive or legislative branches of the Liberian Government and agreement cannot be reached, the Liberian Government should submit the matter for arbitral decision to the State Department through the Legation at Monrovia. In this connection, the Government of the United States assures the Liberian Government that such power of arbitration will be exercised consistently with the principle of the open door and not for the extension of special favors to American enterprises.

As regards the French cable concession to construct and operate a telegraph line connecting Liberian towns, the Department feels that the matter should be the subject of a further exchange of views at a subsequent date.

The above telegram was drafted before the receipt of your 82, October 29, 6 p.m.,[56] which latter is fully answered herein.

You will communicate the above as soon as possible to the Liberian Government.

COLBY

[56] Not printed.

882.72/11 : Telegram

The Minister in Liberia (Johnson) to the Acting Secretary of State

MONROVIA, *December 22, 1920—8 a.m.*
[Received 4:54 p.m.]

98. Department's 61, November 26th, 6 p.m.[57] Financial Adviser in letter dated December 3rd, to the Secretary of State recommended that Liberian Government should not give favorable consideration to the applications for concessions now before Legislature. President King in his annual message delivered to Legislature December 15th, recommended that no concessions be granted pending the negotiations with the Government of the United States relative to five million dollar loan credit.

JOHNSON

[57] Not printed.

MEXICO

REVOLUTION OF 1920

Origins and Progress of the Revolutionary Movement against the Carranza Government—Requests by United States Representatives in Mexico for Naval Protection; Dispatch of United States Ships to Mexican Ports—Overthrow and Death of President Carranza and the Election of Adolfo de la Huerta as Provisional President—Withdrawal of United States Naval Units from Mexican Territorial Waters—Suppression of Counter-Revolutionary Movements

812.00/23328

The Chargé in Mexico (Summerlin) to the Secretary of State

No. 2739 MEXICO, *January 7, 1920.*
[Received January 15.]

SIR: I have the honor to report that recently the local Obregón and González newspapers have endeavored to make it appear that Ambassador Bonillas' proposed return to Mexico, after the closing of the Second Pan-American Financial Conference, is a measure of retaliation on the part of the Government, due to the prolonged absence of Ambassador Fletcher. It is generally understood, and so published in the local independent papers, that Mr. Bonillas will return in order to initiate his campaign for the Presidency. Whether his candidacy is to have the support of the present administration is, as yet, uncertain. Prominent supporters of General Obregón appear to believe that the candidacy of Mr. Bonillas is to withdraw support from, and thereby weaken, General Obregón; and that, later, this support will be thrown to General González or to some other candidate, for example, General Diéguez, whose name has not yet appeared in the list of candidates.

I have [etc.] GEORGE T. SUMMERLIN

812.00/23359

The Chargé in Mexico (Summerlin) to the Secretary of State

[Extract]

No. 2789 MEXICO, *January 20, 1920.*
[Received January 29.]

SIR: I have the honor to report that *El Democrata* of Sunday, January 18, published a Manifesto of the newly formed Partido

Nacional Democratico (National Democratic Party) launching the campaign of Ambassador Bonillas for the Presidency of Mexico.

The Manifesto is mainly a discussion of the menacing situation which has already developed from the campaign of the two rival military candidates, General Alvaro Obregón and Pablo González, and an appeal to their patriotism to renounce their candidacies in favor of Mr. Bonillas, and thereby prevent the internecine struggle which surely would result from dividing the followers of these revolutionary leaders into two hostile camps.

. . . . . .

After pointing out that there is not sufficient time to remedy the defective election laws before the Presidential election, the Manifesto declares that the only recourse left to avoid the pending grave political crisis is this appeal to the patriotism of the majority of the Mexican people, and especially of Generals González and Obregón, who, because of their comparative youth, can well afford to curb ambitions which they could not justify under the existing situation, and thereby free themselves and their supporters from exclusive responsibility for the terrible consequences of the coming electoral struggle.

Among the large number of signers of the Manifesto are

[Here follows a list of the signatories.]

I have [etc.] GEORGE T. SUMMERLIN

812.00/23386

The Consul at Nogales (Dyer) to the Secretary of State

[Extract]

No. 279 NOGALES, *February 9, 1920.*

[Received February 16.]

SIR: I have the honor to present herewith a translation from *La Nacion*, Nogales, dated February 3, 1920, of the leading article entitled: Interesting Interview with Dr. Carlos Davila.[1] After briefly telling of the triumphal campaign of the candidate,[2] Dr. Davila makes two interesting observations. One is that the women are taking keen interest and an active part in the campaign; the other is that the conference of governors called by President Carranza is really a plot to prevent the free exercise of the will of the people.

Governor de la Huerta of Sonora is not attending the conference of governors. It was announced in the press that he was summoned,

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[1] Article not printed.

[2] Gen. Alvaro Obregón.

but that while he desired greatly to comply with the presidential decree he could not do so without the express authorization of congress which, I understand, passed the law with such a declaration at the instance of Gen. Calles, the governor preceding de la Huerta. In passing, it may be observed that although President Carranza is said to desire the removal of de la Huerta because he is an Obregonista, he has not yet brought about his removal; and possibly the governor feels safer here than he would feel in Mexico City.

. . . . . .

I have [etc.] FRANCIS J. DYER

812.00/23393

The Chargé in Mexico (Summerlin) to the Secretary of State

No. 2864 MEXICO, *February 11, 1920.*
[Received February 19.]

SIR: I have the honor to report that the conference of the governors of seventeen Mexican states, held in this city during the past week, to discuss means for guaranteeing liberty of suffrage in the coming Presidential elections, has completed its deliberations and has made public a set of resolutions, a summary of which is enclosed herewith.[3]

The resolutions appear to have been drafted to carry out the announced desire of the Governors, but a portion of the press has looked upon the Conference with suspicion and has intimated that its real purpose is to assist in the election of whoever may be the administration candidate for the Presidency. It is too early for editorial comment, but the headlines which accompanied the publication of the resolutions in the papers to-day, may indicate the attitude of the press.

Mexico Nuevo, the official organ of the González party, appears to believe that the resolutions express the true intention of the Governors, but *El Monitor Republicano*, the Obregón paper, states that they indicate that the official element in the coming Presidential elections is opposed to the independent candidates, and is in favor of imposing a candidate upon the country; it adds that "the substance of the manifesto is 'preservation of order by means of brute force and peaceful transfer of power by means of a fraudulent election'".

In this connection, the recent announcement of the press to the effect that a similar conference of Generals will be held in this city in the near future, is of interest.

I have [etc.] GEORGE T. SUMMERLIN

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[3] Not printed.

812.00/23522

The Chargé in Mexico (Summerlin) to the Acting Secretary of State

No. 2977 MEXICO, *March 16, 1920.*
[Received March 24.]

SIR: With reference to the candidacy of General Alvaro Obregón for the Presidency of Mexico, I have the honor to report that on the 14th instant, *El Monitor Republicano*, the official newspaper of the Obregón faction, published the platform decided upon by the national convention of political parties supporting Obregón, which has been in session in this city for the past month and a half. That portion of the platform relating to international matters reads as follows, in translation:

XVII.—In international matters, the Executive will follow a policy which tends to improve our international relations, on the following basic principles:

a.—Inviolability of our sovereignty as an autonomous people, and of our national territory.

b.—Absolute respect for the sovereignty and institutions of other nations.

c.—Recognition of the rights legitimately acquired by foreigners in our country, comparing their legal status with that of nationals, on the principle that laws shall not be retroactive.

d.—To give every class of assistance to foreign capital which may be invested in our country for the development of our material wealth, seeking the most practical method for conciliating the interests of labor, capital, and the public revenues.

e.—To be vigilant that foreigners residing in Mexico may benefit in the most ample manner by all the guarantees afforded by our Constitution.

f.—To reorganize the Diplomatic and Consular corps on the principle of fitness for the career in conjunction with the proven efficiency of, and services rendered by, the present members of those corps.

g.—Improvement of our relations with the nations of the American continent, endeavoring to remove every sort of difficulty with the United States, on the principle of a mutual understanding of sentiment and ideals, and with the Indo-Spanish nations by an intellectual and commercial drawing together which will preserve unharmed the high ideals of the Race.

I have [etc.] GEORGE T. SUMMERLIN

812.00/23530 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *March 27, 1920—noon.*
[Received March 28—5:40 p.m.]

81. Local press to-day published a telegram recently sent to President Carranza by General Obregón asserting that the latter's military

supporters for the Presidency are being persecuted while those of Bonillas are given every protection and implying that this is being done with the connivance of the Carranza administration, and a long telegram from President Carranza in reply denying the assertion and severely criticising General Obregón and his followers for their attitude in the campaign.

SUMMERLIN

812.00/23534 : Telegram

The Consul at Nogales (Dyer) to the Secretary of State

NOGALES, *March 30, 1920—noon.*
[Received 3:20 p.m.]

Sonora fears Carranza will send troops and establish military government according to newspaper *La Nacion* which says State will not submit. Railroad men have given notice strike will be declared April 3rd.

DYER

812.00/23543a : Telegram

The Secretary of State to the Consul at Guaymas (Yost)

WASHINGTON, *April 5, 1920—6 p.m.*

Navy Department informs me that you have telegraphed Commander, Pacific Fleet, requesting him to send war vessel to Guaymas. Telegraph reason for your request, and report on present situation in your district.

COLBY

812.00/23547 : Telegram

The Consul at Guaymas (Yost) to the Secretary of State

GUAYMAS, *April 7, 1920—9 a.m.*
[Received 4 p.m.]

Referring to Department's telegram April 5, 6 p.m. Naval vessel was requested for the port of Guaymas to reassure American citizens in the existing conflict between the Federal and State authorities, also at the request of H. J. Temple general superintendent Southern Pacific of Mexico in view of the railroad strike endangering American property and the persistent rumors of revolution causing the latter to commit suicide April 2d. The occasional presence of an American war vessel has a good effect. Although the Yaquis have been peaceable and the State quiet, a Federal army is reported to be on the way to Sonora. Two hundred marines have arrived at

Guaymas, to be increased to 500 soon. Postal service by rail is suspended.

YOST

812.00/23546 : Telegram

The Consul at Nogales (Dyer) to the Secretary of State

NOGALES, *April 7, 1920—2 p.m.*
[Received 6:24 p.m.]

General P. Elias Calles and Governor de la Huerta with brass band arrived this morning from Hermosillo on special train bringing word that State Congress [sent] yesterday to President Carranza a telegram protesting against the movement of General Diéguez from Guadalajara with troops to take military command in Sonora and saying that it is disingenuous to claim that this is merely to preserve order for Sonora was never more tranquil than now. The President is informed that his action cannot be considered other than a deliberate attempt to make a farce of the approaching election.

An extra edition of *La Nacion* newspaper is just out containing text of above telegram and a proclamation by the Partido Liberal de Nogales declaring that this is a matter of life and death for Sonora and for all the Republic because the Federal Government is trying to impose on the nation by the bloody bayonet the hateful candidacy of Bonillas to elect whom would be the first step toward an American protectorate and the eventual disappearance of Mexico from the map as a nation.

There will be a conference this afternoon among the leaders. *La Nacion* calls for all to get together regardless of party to defend Sonora and throughout the State troops are already mobilizing but wires are cut and news is difficult to obtain. The strike situation remains unchanged but should the Federal Government try to take over the railroad there may be fighting. Calles has demanded that customs receipts be deposited with State Government at Hermosillo as formerly and this may be first step to attempt to seize customs houses.

DYER

812.00/23547 : Telegram

The Secretary of State to the Consul at Guaymas (Yost)

WASHINGTON, *April 8, 1920—4 p.m.*

Your April 7, 9 A.M.

Department not disposed to recommend that American war vessel be sent to Guaymas unless exigency should arise warranting such

action. Keep Department fully advised of situation, particularly of developments that may endanger Americans.

COLBY

812.00/23557 : Telegram

The Consul at Nogales (Dyer) to the Secretary of State

NOGALES, ARIZ., *April 10, 1920—2 p.m.*
[Received 7:40 p.m.]

The State Government decided last night that President Carranza was violating the Constitution by sending troops into Sonora without the request or consent of Sonora Congress or Governor and that in consequence relations with the Federal Government would be broken off. The Mexican consul and also others inform me that this morning a telegram was sent from Hermosillo to President Carranza stating that his authority would no longer be recognized. Carranza replied would send 20,000 men here. It is believed that the customs houses will be taken over this afternoon. Claim is made that there are nearly 6,000 troops in Sonora all of them men of Sonora beside 3500 Yaquis under arms. These are said to be ample to preserve order and it is held that the sending of more troops would arouse suspicions of United States as to intentions and possibly rupture good relations existing between Sonora and Arizona.

General Plank whom Carranza tried to remove has placed his own services and his 300 fiscal guards at disposal of Governor de la Huerta. There seems to be no local excitement.

DYER

812.00/23562 : Telegram

The Consul at Guaymas (Yost) to the Secretary of State

GUAYMAS, *April 10, 1920—6 p.m.*
[Received April 11—2:15 p.m.]

Sonora State Legislative Assembly last night fully endorsed recent action of the Governor giving him full powers over all State finances and war, until the end of September. Federal Government is not to be repudiated until the Federal troops arrive in Sonora. Telegraphic communication is cut off with Sinaloa also shipments of merchandise. Americans here are quite [omission] it is considered highly desirable that a war vessel be available for Guaymas in case of emergency.

YOST

812.00/23559 : Telegram

The Consul at Nogales (Dyer) to the Secretary of State

NOGALES, ARIZ., *April 11, 1920—3 p.m.*
[Received April 12—3:46 a.m.]

The State took over custom houses, telegraph, postoffices, stamp and immigration offices this morning but all officials have not yet been designated. Administrador de Aduana went to American side last night and number of Carranzistas followed his example. No violence has been reported. General Plank came to Nogales yesterday and holds position under State similar to one from which Carranza removed him at head of *fiscales* but with wider powers. Mexican consul, Tamez, who was recalled by Carranza, is said to be acting as consul for Sonora. Denial is made that recognition or intervention with Carranza will be asked of Washington but there is public discussion as to whether Washington will permit Carranza to send troops through United States to subdue Sonora. General Pina was reported at Agua Prieta yesterday and at Cananea to-day. Two hundred Federal marines at Guaymas are said to have gone over to Obregonistas and the gunboat *Guerrera* reported to be in dock for repairs is said to be in hands of State sympathisers. General Alvarado whose services and millions are supposed to be behind Obregón has rented and furnished a residence in Nogales, Arizona, and is making public speeches in Teatro Hidalgo, Nogales, Sonora. The first one last night was non political but in the next he will tell why the liberals who supported Carranza have turned against him. Rumor that Sinaloa has taken action similar to that of Sonora is not yet confirmed.

DYER

812.00/23574 : Telegram

The Chargé in Mexico (Hanna) to the Secretary of State

[Paraphrase]

MEXICO, *April 12, 1920—11 p.m.*
[Received April 13—5:12 p.m.]

101. In secret visit tonight to Embassy General Benjamín Hill declared that Sonora is now openly rebellious; Federal soldiers now there, as well as rebel groups including Villa and the majority of Federals throughout Mexico, will aid Obregón in the revolt; General Diéguez, at present at Guadalajara, is afraid to go to Sonora to his troops; there is no expectation of a [garbled group], although preparations are complete for an overturn of the Government which

will conclude the Obregón–Carranza dispute; and the rebel troops will probably be commanded by Hill and Obregón who will try from Mexico City to join the troops already organized for them not far off.

In event of his failure to leave Mexico City, Hill asks asylum here in Embassy for self and family. He is informed Department will be asked to advise.

HANNA

812.00/23562 : Telegram

The Secretary of State to the Consul at Guaymas (Yost)

WASHINGTON, *April 13, 1920—6 p.m.*

Your April 10, 6 p.m.

I have suggested to Navy Department that war vessel be sent to Guaymas.

COLBY

812.00/23687

The Chargé in Mexico (Hanna) to the Secretary of State

No. 3060 MEXICO, *April 14, 1920.*
[Received April 22.]

SIR: With reference to my recent telegrams, in regard to the Mexican political situation, I have the honor to report the following additional details as they have appeared in the local press—or have reached the Embassy from other reliable sources.

The immediate causes of the crisis which has been reached in the Bonillas,–Obregón–González presidential campaign were the order bringing General Obregón to this city and the Mexican Government's attitude towards the State of Sonora.

It appears that General Obregón had reached Matamoros in the course of his Presidential campaign when he received an order from the Acting Secretary of War to report in Mexico City where his presence was required as a " witness " in the trial of the rebel leader Cejudo, granted amnesty some time previously by the Mexican Government but subsequently arrested and imprisoned in this city on a charge of plotting rebellion. When General Obregón appeared in court in obedience to this summons he learned that he was not only a witness but was also charged with rebellion against the Mexican Government on the evidence contained in a letter addressed to him by Cejudo, February 19, 1920, which indicated that Obregón had been conspiring with Cejudo.

Apparently General Obregón anticipated some such turn in events, because he stated in an address which he made at Monterey, just before coming to Mexico City to appear in court, that it was possible that he would be charged with crimes and subjected to treatment which would compel him to abandon his political campaign. He closed the address with seditious utterances and veiled threats of rebellion. In view of the extensive publicity given to this speech, a translation of it is enclosed (Enclosure No. 1).[2]

General Obregón was not placed under arrest but I am informed that he was kept under close surveillance and was given to understand that he would not be permitted to leave the city. The same was true of his principal supporter, General Benjamin Hill, who was recently threatened with arrest on the charge of having violated Army ord[i]nances in actively engaging in politics while on the active list of the Army.

The dissatisfaction in the State of Sonora aroused by President Carranza's determination to send a large Federal force to that State under the command of General Diéguez finally took the form of telegrams to President Carranza, from the Governor and Legislature of Sonora, making threatening protests against the execution of the Executive order, to which Mr. Carranza replied reasserting his determination and warning the Sonora State authorities that he would consider as rebellion any act committed by them not in accordance with the Constitution. Shortly thereafter Sonora met this unyielding attitude of the Federal Government by the *coup d'etat* which resulted in the complete separation of Sonora from the Central Government. It appears that this was accomplished without bloodshed and that the Federal troops in the State deserted to and supported Governor de la Huerta.

While these events were happening, the "Obregonista" deputies and senators in the Federal Congress issued a public manifesto, a translation of which is enclosed (Enclosure No. 2),[2] in which they expressed their opinion of what they consider the "imposition" of Mr. Bonillas as the presidential candidate of the Carranza administration, and predicted a destructive revolution if the Executive should persist in refusing to change his attitude.

A day or two after the *coup d'etat* in Sonora, it was reported that Generals Obregón and Hill had escaped from Mexico City, together with many of the more prominent supporters of the Obregón cause, supposedly with the intention of organizing a military force from rebel bands and disaffected Federal troops with which they will endeavor to precipitate another revolution.

I have [etc.] MATTHEW E. HANNA

[2] Not printed.

812.00/23578 : Telegram

The Secretary of State to the Chargé in Mexico (Hanna)

[Paraphrase]

WASHINGTON, *April 14, 1920—7 p.m.*

114. Embassy telegrams, April 12, 11 p.m. and April 13, noon.[3] You should limit yourself carefully to actions in cause of humanity and in aid only of lives obviously and immediately threatened. Furthermore, such actions should be discontinued upon disappearance of the danger. Therefore no moves should be made which may be interpreted as assistance to Generals Obregón and Hill in their political projects.

Inform Department by wire of any proposed action by the missions of Great Britain and other governments. Also inform of new developments immediately. You will find additional advice and guidance in Department's instruction no. 1227, February 24, 1913.[4]

COLBY

812.00/23599 : Telegram

The Consul at Mazatlan (Chapman) to the Secretary of State

MAZATLAN, *April 16, 1920—9 a.m.*

[Received 10 : 55 p.m.]

The Government of Sinaloa and practically all of the State officials arrived at Mazatlán by special train from Culiacán at 6 this morning transferring capital [of] State to Mazatlán, having no means of defense against General Ángel Flores who is rapidly moving this way from the north.

This practically leaves all of Sinaloa except city of Mazatlán in the hands rebels. Flores rushing this way to take Mazatlán before General Diéguez can reach here, latter being due about 19th.

As the communication with Department likely to be cut off any moment, suggest that naval vessel stand by to protect American interests and assure continued communication.

CHAPMAN

812.00/23598 : Telegram

The Consul at Mazatlan (Chapman) to the Secretary of State

MAZATLAN, *April 16, 1920—3 p.m.*

[Received April 17—4 : 42 a.m.]

Invading forces were at Naranjo, 31 miles this side San Blas, Sinaloa, at 10 this morning, probably reached [*will reach?*] Culiacán,

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[3] Latter not printed.

[4] *Foreign Relations*, 1913, p. 737.

capital of the State, tonight. Most of the prominent people of capital came to Mazatlán this morning on Governor's special train, others expected as rolling stock concentrates here as now ordered by General Iturbe [*Iturbide?*]. Troop movement from Nayarit being delayed, cause delay not known. Many think siege here certain. Consular agency Los Mochis telegraphs for naval vessel not over 15 feet draft for Topolobampo on account of local conditions.

Both Mexicans and foreigners anxious to see American warship at Mazatlán.

CHAPMAN

812.00/23577

The Secretary of State to the Mexican Chargé (Diego-Fernández)

WASHINGTON, *April 17, 1920.*

SIR: I beg to acknowledge the receipt of your note of April 10, 1920,[6] confirming your oral statement to the effect that Villa followers appear to have selected the Santa Elena district of the State of Texas as a base from which to cross the international boundary line for the purpose of fomenting disturbances in the State of Chihuahua. You request that vigilance be exercised in the district referred to with the view to preventing the violation of the neutrality laws of this Government.

In reply you are informed that the substance of your note is being brought to the attention of the proper authorities of this Government for such action in the premises as they may deem appropriate.

Accept [etc.]

For the Secretary of State:
ALVEY A. ADEE

812.00/23610 : Telegram

The Consul at Nogales (Dyer) to the Secretary of State

NOGALES, *April 17, 1920—9 a.m.*
[Received 3:32 p.m.]

Garrisons in central part of State have been divided between Sinaloa and Agua Prieta, about 850 troops in two trains having gone to Naco last night to be sent from there to Agua Prieta. Cananea and other towns have been stripped leaving only corporals guard for recruiting. Governor promised me yesterday that he would give Cananea sufficient protection and the local merchants there have

[6] Not printed; complaints were also made by the Mexican Embassy Jan. 29, Feb. 3, Feb. 16, and Feb. 27.

arranged for employment of about 20 additional policemen, but Chinese are apprehensive and ask that I make representations to State Government and also request permission for them to cross into United States here at Naco and Agua Prieta for temporary safety if necessary. Indications are that special tax levy will be made on Chinese merchants here, it being alleged that they have made fraudulent returns concerning the volume of their business.

Refusal of Post Office Department to let Sonora mail enter the States is criticised in border towns. To bring mail overland from El Paso or Juárez would take week or ten days and meanwhile consular and American business mail as well as Mexican is held up.

Arizona business men are greatly disturbed and are protesting to Governor and Senators against granting permission for Carranza troops to cross United States territory. Border towns especially fear inevitable ruin if neutrality not be observed in this contest as they say that Sonora could and would back up its protest by a permanent business boycott. Sonora people are saying little but show anxiety about policy of United States. No efforts are being made to move freight for Sonora held on Southern Pacific tracks in Nogales.

DYER

812.00/23660 : Telegram

The Consul at Nuevo Laredo (Robertson) to the Secretary of State

LAREDO, [TEX.,] *April 20, 1920—9 a.m.*
[Received 12:24 p.m.]

General Ignacio L. Pesqueira appointed Governor of Sonora by President Carranza arrived Nuevo Laredo last night. Proceeded to San Antonio this morning thence to some point near the Sonora border presumably Nogales. Report that Governor Rubio of Michoacán and State forces have revolted and that General Obregón is now in Michoacán furnished me today by responsible party.

ROBERTSON

812.00/23661 : Telegram

The Consul at Nogales (Dyer) to the Secretary of State

NOGALES, ARIZ., *April 20, 1920—9 a.m.*
[Received 1:48 p. m.]

Governor wired me last night that he has ordered 50 soldiers to Cananea. General Serrano here yesterday said States of Michoacán,

Hidalgo, Guerrero, Colima, Jalisco, Zacatecas and Tabasco are openly favoring Sonora attitude.

DYER

812.00/23610 : Telegram

The Secretary of State to the Consul at Nogales (Dyer)

WASHINGTON, *April 20, 1920—6 p.m.*

Your April 17, 9 a.m.

Department does not feel that emergency necessitating asylum in United States for Chinese in your district is likely to arise.

Post office Department has instructed Postmasters Naco, Douglas and Nogales to hold mail for Americans in Sonora until necessary arrangements have been made for its delivery.

Department has received no request from Mexican Government for permission to transport armed forces to Sonora via American territory.

COLBY

812.00/23663 : Telegram

The Consul at Vera Cruz (Foster) to the Secretary of State

VERA CRUZ, *April 20, 1920—9 p.m.*
[Received April 21—5 : 41 a.m.]

I consider conditions in this district are very grave and urgently recommend that an American warship be sent at once. Great danger to American residents if lawless elements get upper hand.

FOSTER

812.00/23598 : Telegram

The Secretary of State to the Consul at Mazatlan (Chapman)

WASHINGTON, *April 21, 1920—5 p. m.*

Your April 16, 3 P.M.

I have suggested to Navy Department that it send war vessel to Mazatlán and Topolobampo.

COLBY

812.00/23663 : Telegram

The Secretary of State to the Consul at Vera Cruz (Foster)[6]

WASHINGTON, *April 23, 1920—noon.*

Your April 20 9 p.m.

Navy Department is being asked whether it has available war vessel that could be dispatched on reasonably short notice to Ports of Vera Cruz, Puerto México and Frontera should emergency arise appearing to make such action advisable.

COLBY

812.00/23714 : Telegram

The Consul at Vera Cruz (Foster) to the Secretary of State

VERA CRUZ, *April 24, 1920—9 a.m.*

[Received 5 : 10 p.m.]

Department's telegram of April 23, noon. I must inform the Department that unless war vessels are here before the necessity arises there will be no need for them. There has been no time in the past 48 hours when any strong body of men could not have taken and sacked Vera Cruz. General Aguilar has apparently abandoned his campaign in North Vera Cruz and has returned 400 troops to Vera Cruz but there is always the danger of these revolting, killing their officers and looting as has happened in the case of two other garrisons. I am not an alarmist nor a novice in Mexican affairs and I consider the situation fraught with sudden and dangerous possibilities.

FOSTER

812.00/23713 : Telegram

The Chargé in Mexico (Hanna) to the Secretary of State

[Paraphrase]

MEXICO, *April 24, 1920—noon.*

[Received April 25—1 : 23 a.m.]

134. Telegram from vice consul of Great Britain in Tuxpam to his Legation here declares serious conditions there and property interests of Americans should be protected. Mexican authorities are said to be contemplating complete embargo upon harbor of that city. Dawson sends no reports from Tampico to Embassy.

HANNA

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[6] The same, *mutatis mutandis*, at 5 p.m., to the consul at Frontera.

812.00/23709 : Telegram

The Chargé in Mexico (Hanna) to the Secretary of State

[Paraphrase]

MEXICO, *April 24, 1920—2 p.m.*
[Received 8:50 p.m.]

138. Referring to telegram no. 114 from the Department, 14th instant, this Embassy believes that the Legations of Great Britain, Argentina, Norway, and Chile would be more generous than instructions permit American Embassy to be in extending privilege of asylum.

HANNA

812.00/23716 : Telegram

The Chargé in Mexico (Hanna) to the Secretary of State

[Paraphrase]

MEXICO, *April 25, 1920—noon.*
[Received 8:32 p.m.]

137. Reliable information received that for the purpose of counteracting Obregón manifesto, Bonillas and Pablo González will withdraw their candidacies, and convention for purpose of selecting compromise candidate will be called. The above-mentioned manifesto has been issued but has not been given to the public at this place.

HANNA

812.00/23725 : Telegram

The Consul at Nogales (Dyer) to the Secretary of State

NOGALES, ARIZ., *April 26, 1920—11 a.m.*
[Received 2:44 p.m.]

Southern Pacific will take on railroad [*freight?*] at noon. Telegram was received today saying that Consul General de Negri at New York after protesting to President Carranza about his course toward Sonora without avail tendered his resignation and has proffered his services to Sonora.

Governor de la Huerta has accepted appointment, under Plan of Agua Prieta[7] just issued by Calles, as chief executive, civil and military, for States allying themselves with Sonora.

DYER

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[7] *Post*, p. 150.

812.00/23732 : Telegram

The Consul at Vera Cruz (Foster) to the Secretary of State

VERA CRUZ, *April 26, 1920—1 p.m.*
[Received 5:45 p.m.]

I am informed that rebels are planning to attack Vera Cruz within a few days. Local garrison has been strengthened to 600 men whose loyalty is doubtful. In the event of a revolt the only possible preventive against looting would be the presence of American war ships.

FOSTER

812.00/23733 : Telegram

The Consul at Frontera (Blohm) to the Secretary of State

FRONTERA, *April 26, 1920—2 p.m.*
[Received April 27—6:30 a.m.]

Department's April 23rd 5 p.m.[8] American citizens and American interests asking me protection against disorganized ruthless bands revolutionists threatening Frontera. Interruption communications expected every moment. Warship draft of 10 feet needed entering river.

BLOHM

812.00/23713 : Telegram

The Secretary of State to the Chargé in Mexico (Hanna)

WASHINGTON, *April 26, 1920—4 p.m.*

123. Your April 24, noon.

Consul Dawson telegraphed April 22[9] that rebel attack upon Tuxpam April 21 was unsuccessful, but that consular agent has requested protection as situation considered critical. Dawson added that senior American naval officer at Tampico has ordered destroyer *Thornton* to proceed to Tuxpam.

COLBY

812.00/23734 : Telegram

The Secretary of State to the Chargé in Mexico (Hanna)

WASHINGTON, *April 28, 1920—2 p.m.*

126. Consul Acapulco reports[9] having received information that Obregón has gone to Iguala, and is proceeding toward Mexico City with force of nine to ten thousand men.

COLBY

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[8] See footnote 6, p. 143.
[9] Telegram not printed.

812.00/23714 : Telegram

The Secretary of State to the Consul at Vera Cruz (Foster)

WASHINGTON, *April 28, 1920—6 p.m.*

Your April 24, 9 a.m.

Navy Department states that U.S.S. *Sacramento* is on duty at Tampico and is available for immediate visits to ports of Vera Cruz, Puerto México and Frontera. So advise Frontera.

COLBY

812.00/23762 : Telegram

The Consul at Vera Cruz (Foster) to the Secretary of State

VERA CRUZ, *April 29, 1920—9 a.m.*

[Received 2:24 p.m.]

Department's telegram of April 28, 6 p.m. Arrangement is absolutely impracticable for the reason that before a vessel could be notified and reach Vera Cruz from Tampico the damages would be done and in the meantime American men, women and children would be at the mercy of a mob of unrestrainable soldiery. I urgently renew request that a war vessel be stationed here.

FOSTER

812.00/23766 : Telegram

The Consul at Vera Cruz (Foster) to the Secretary of State

VERA CRUZ, *April 29, 1920—noon.*

[Received 7:16 p.m.]

British consul requests to be informed as to whether or not American warships are to be sent to Vera Cruz, for the information of British Admiralty.

FOSTER

812.00/23785 : Telegram

The Consul at Tampico (Dawson) to the Secretary of State

TAMPICO, *April 29, 1920—6 p.m.*

[Received May 1—11:20 a.m.]

It is believed that the Mexican Government will soon face a big crisis here. There are indications of further defections of troops and officers much more than generally known. Murguia called suddenly to Mexico City, leaving today, last accounts expressing doubt as to local situation. Such developments as occur will be

sudden and with little warning and may call for forceful protection of life and property of Americans here as owing to their large number and distribution over wide territory their removal from the country is impracticable and property interests are too large to be abandoned. Under these circumstance[s] I beg to call attention to the very inadequate United States Navy force now in Tampico. Embassy informed.

DAWSON

812.00/23766 : Telegram

The Acting Secretary of State to the Consul at Vera Cruz (Foster) [11]

WASHINGTON, *May 3, 1920—1 p.m.*

Your April 29, noon.

Navy has been requested to despatch six destroyers for service at Tampico and Vera Cruz, and in addition to station one large vessel at your port. You may so advise British Consul.

POLK

812.00/23846 : Telegram

The Consul at Torreon (Donaldson) to the Secretary of State

TORREON, *May 5, 1920—noon.*
[Received May 6—2:12 a.m.]

Chinese Chamber of Commerce have requested me to represent Chinese people in case of emergency. Awaiting instructions.

No change in the situation hereabouts. The Government has withdrawn all of the military forces from Durango and sent them to Mexico City.

DONALD[SON]

812.00/23814 : Telegram

The Secretary of State to the Consul at Salina Cruz (Burlingham)

WASHINGTON, *May 5, 1920—3 p.m.*

Your May 3, 9 A.M.[12]

Navy Department is despatching additional vessels to Mexican east coast, and war ships will call at intervals at Gulf ports, including Puerto Mexico.

COLBY

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[11] Substance communicated to the Chargé in Mexico in telegram no. 129, on the same date (file no. 812.00/23785).

[12] Not printed.

812.00/23943 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *May 7, 1920—noon.*
[Received May 11—9 p.m.]

183. President Carranza, his Cabinet and other adherents abandoned the Capital by train about 10 o'clock this morning preceded by a number of trains carrying troops, equipment, supplies, archives, etcetera. Several trains loaded with Federal artillery and supplies [are] still in one of the railroad stations here awaiting orders to leave. It appears that all these trains are to proceed to Vera Cruz.

SUMMERLIN

812.00/23879 : Telegram

The Consul at Monterey (Bowman) to the Secretary of State

MONTEREY, *May 7, 1920—noon.*
[Received May 8—6:28 a.m.]

Train to Mexico City last night encountered Governor Mireles and his troops at Arizpe where he had retreated abandoning Saltillo to revolting troops commanded by General Gonzalez. Train returned with Mireles and his following. Two troop trains with total of 600 left the city this morning *en route* to Tampico leaving only a small number. The post office has been closed and hurried preparations are being made to evacuate the city completely. It is reported revolutionists advancing rapidly from Saltillo and from Matamoros. We still have communication with Tampico and Nuevo Laredo but I cannot communicate with Mexico City. The local panic can be imagined. Prices foodstuffs [which] had already risen quadruplicate have become prohibitive. Cannot relief be afforded all employees this consulate?

BOWMAN

812.00/23818 : Telegram

The Secretary of State to the Chargé in Mexico (Summerlin)

[Paraphrase]

WASHINGTON, *May 7, 1920—2 p.m.*

135. Embassy's 167, 3d instant.[18] Several war vessels are being despatched to Atlantic ports of Mexico, the first of which will soon arrive at Tampico, Vera Cruz, and Tuxpam. This news may be

[18] Not printed.

given in confidence to other interested missions and to the president of the American Society.

The opinion of the heads of other missions upon the ways and means that should be taken to protect aliens in case conditions of war come to exist near or at the Mexican capital should be discovered with tact and without formality and forwarded to the Department. You should remember that Carranza will certainly learn of such conversations as may take place.

Reports from consuls indicate, as you know, that the taking of virtually every city and seaport captured to date by the rebels has been bloodless.

COLBY

812.00/23846 : Telegram

The Secretary of State to the Consul at Torreon (Donaldson)

WASHINGTON, *May 7, 1920—5 p.m.*

Your May 5, noon.

You may, in cases of necessity, exercise your informal good offices with local Mexican authorities in behalf Chinese citizens in your district seeking protection. See Department's circular telegram September 30 last, 5 P.M.[14]

COLBY

812.00/23880 : Telegram

The Consul at Vera Cruz (Foster) to the Secretary of State

VERA CRUZ, *May 8, 1920—8 a.m.*

[Received 1:25 p.m.]

Conditions growing better. General Guadeloupe Sánchez has the situation well in [hand] and has requested civil authorities to continue functioning and that a reestablishment [omission]. No reprisals will be maintained [*sic*] with the exception of General Aguilar who will be required to resign as Governor of Vera Cruz and leave the country. He has detailed troops for the defense of Vera Cruz against attacks by rebels or bandits. Thanks to the firmness and discretion of Generals Sánchez and Medina there are no incidents of a disagreeable nature to American citizens to report. American warships mentioned in the Department's telegram May 3, 6 [*1*] p.m. have not arrived and will probably not be necessary unless a change in condition should occur.

FOSTER

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[14] Not printed; see note of Oct. 1, 1919, to the Chinese Chargé, *Foreign Relations*, 1919, vol. II, p. 577.

812.00/23925 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *May 9, 1920—2 p.m.*
[Received May 10—9:45 p.m.]

192. General Obregón entered the city at noon today with several thousand troops. The city continues to be quiet.

SUMMERLIN

812.00/24098

The Chargé in Mexico (Summerlin) to the Secretary of State

No. 3149 MEXICO, *May 13, 1920.*
[Received May 25.]

SIR: In view of the number of references to the Plan of "Agua Prieta" in the Embassy's telegrams to the Department, I have the honor to send enclosed, even at this late date, copy and translation of that document.

I have [etc.] GEORGE T. SUMMERLIN

[Enclosure—Translation]

The Plan of Agua Prieta

WHEREAS:

I.—The National Sovereignty rests essentially and originally in the people; all Public Power emanates from the people and is instituted for its benefit; and the power of public officials is only a partial delegation of the popular sovereignty, made by the same people.

II.—The present President of the Republic, Venustiano Carranza, has constituted himself the leader of a political party and, pursuing the triumph of that party, has systematically made a mockery of the popular vote, has suspended, in fact, individual guarantees and has made repeated attempts against the sovereignty of the States thus radically weakening the political organization of the Republic.

III.—These acts and this procedure, openly exposed, constitute, at the same time, flagrant violations of our Supreme Law, grave crimes of a common order and absolute betrayal of the fundamental aspirations of the Constitutionalist Revolution.[15]

IV.—All the peaceful means to direct the action of the aforementioned First Chief of the Federation into constitutional channels, having been exhausted without the achievement of such an end, the

[15] Revolution of 1914; see *Foreign Relations*, 1914, pp. 443 ff.

moment has arrived when the Mexican people resumes all its sovereignty, revokes the power which it has conferred upon this faithless agent and reassert[s] the absolute rule of its institutions and its laws.

In virtue of the above, we, the undersigned Mexican citizens in full exercise of our political rights, have adopted in all its parts and swear to sustain in its entirety the following:

ORGANIC PLAN OF THE MOVEMENT TO REVINDICATE DEMOCRACY AND THE LAW

ARTICLE I.—Venustiano Carranza ceases in the exercise of the Executive Power of the Federation.

ARTICLE II.—Recognition is refused to the public officials whose assumption of office had its origin in the recent elections of local powers which took place in the States of Guanajuato, San Luis Potosí, Queretaro, Nuevo Leon and Tamaulipas.

ARTICLE III.—Recognition is likewise refused to the citizens elected in the capacity of Councilmen of the Municipal Government of the City of Mexico during the last elections held in said capital.

ARTICLE IV.—José Santos Godinez is recognized as Constitutional Governor of the State of Nayarit.

ARTICLE V.—All the other legitimate authorities of the Federation and the States are also recognized. The Liberal Constitutionalist Army will sustain said authorities provided they do not combat nor molest the present movement.

ARTICLE VI.—The Political Constitution of February 5, 1917[16] is hereby recognized as the fundamental law of the Republic.

ARTICLE VII.—All the generals, military leaders, officers and soldiers seconding this plan shall constitute the Liberal Constitutionalist Army. The present Constitutional Governor of Sonora, Adolfo de la Huerta, shall temporarily have the character of Supreme Chief of the Army with all the faculties necessary for the military, political and administrative organization of this movement.

ARTICLE VIII.—The Constitutional Governors of the States who recognize and adhere to this movement within the space of thirty days, reckoned from the date of promulgation of this plan, shall each name a duly authorized representative to the end that said delegates, assembled within sixty days after the present date, in the place designated by the man who is temporarily Supreme Chief, take measures for the definite appointment, by a majority of votes, of the Supreme Chief of the Liberal Constitutionalist Army.

ARTICLE IX.—If in view of the circumstances arising from the campaign, the Assembly of Delegates of the Constitutional Gover-

[16] *Foreign Relations*, 1917, p. 951.

nors referred to in the previous article does not secure a majority on the date set, the present Constitutional Governor of the State of Sonora, Adolfo de la Huerta, shall definitely remain the Supreme Chief of the Liberal Constitutionalist Army.

ARTICLE X.—As soon as the present Plan is adopted by the majority of the Nation and the City of Mexico is occupied by the Liberal Constitutionalist Army, measures shall be taken to designate a Provisional President of the Republic in the manner provided by the following articles:—

ARTICLE XI.—If the movement should be consummated before the end of the present period of the Federal Congress, the Supreme Chief of the Liberal Constitutionalist Army shall convoke Congress to extra sessions wherever it may be able to meet and the members of both Chambers shall elect the Provisional President in conformance to the Constitution in force.

ARTICLE XII.—If the case foreseen by Article VIII should arise after the end of the constitutional period of the present Chambers, the Supreme Chief of the Liberal Constitutionalist Army shall assume the Provisional Presidency of the Republic.

ARTICLE XIII.—The Provisional President shall call elections of the Executive and Legislative Powers of the Federation immediately after he takes possession of his post.

ARTICLE XIV.—The Supreme Chief of the Liberal Constitutionalist Army shall name Provisional Governors of the States of Guanajuato, San Luis Potosí, Queretaro, Nuevo Leon and Tamaulipas; of those which do not have a Constitutional Governor; and of all the other Federal entities whose administrators combat or refuse to recognize this movement.

ARTICLE XV.—After the triumph of this Plan has been assured, the Provisional President shall authorize the Provisional Governors to call immediately elections of Local Powers in conformance to the respective laws.

ARTICLE XVI.—The Liberal Constitutionalist Army shall rule in accord with the General Orders and Military Laws at present in force in the Republic.

ARTICLE XVII.—The Supreme Chief of the Liberal Constitutionalist Army and all the civil and military authorities who second this Plan shall give guarantees to nationals and foreigners and shall give very special protection to the development of industry, commerce and all business.

Effective Suffrage.—No Reelection.

AGUA PRIETA, SONORA, *April 23, 1920.*

812.00/23996 : Telegram

The Consul at Manzanillo (Walsh) to the Secretary of State

MANZANILLO [*undated*].
[Received May 17, 1920—11:27 a.m.]

Bandits in charge Manzanillo since 11 a.m. 14th. Destroyer *Thornton*, Commander Stirling, arrived 4 p. m. and saved town from violence. Standing by.

WALSH

812.00/23987 : Telegram

The Secretary of State to the Consul at Frontera (Blohm)

WASHINGTON, *May 18, 1920—5 p.m.*

Your May 12, 1 P.M.[17]

Navy Department has been requested to send light draft vessel to Frontera and Carmen.

COLBY

812.00/24053 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *May 22, 1920—9 a.m.*
[Received 1:32 p.m.]

240. Entire press today publishes official bulletin issued from General Obregón's headquarters stating that President Carranza and six of his followers, names unknown, were killed at 1 o'clock yesterday morning near Necaxa, State of Puebla in an attack on his party made by Rodolfo Herrero an ex-Federal belonging to the command of General Mariel who accompanied President Carranza.

SUMMERLIN

812.00/24068 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *May 24, 1920—11 a.m.*
[Received 6:31 p.m.]

248. The remains of the late President Carranza brought by train under guard reached the Capital at 6 o'clock this morning and were

[17] Not printed.

transferred at once to his private residence. Apparently there were no officials or representatives of the revolutionary forces present but the diplomatic representatives of seven countries including the United States were present and accompanied the remains from the train. The crowd at the train was small and orderly, no official honors are being accorded and it is reported that the funeral services this afternoon will be private.

SUMMERLIN

812.00/24071 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *May 24, 1920—9 p.m.*
[Received May 25—5:34 a.m.]

253. The Mexican Congress in extraordinary session elected this evening Adolfo de la Huerta, Provisional President. The votes cast were as follows: De la Huerta, 224; General Pablo González, 28; Iglesias Calderón, 1; General Villareal, 1.

SUMMERLIN

812.00/24105 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *May 25, 1920—4 p.m.*
[Received 11 p.m.]

260. In a note dated May 24th addressed to the dean of the diplomatic corps here with the request that he communicate it to the other chiefs of missions, Senator Sánchez Azcona in charge of the Mexican Foreign Office states that the Mexican military authorities have fully confirmed that President Carranza was killed by armed forces [that] accompanied him, thereby defeating the desperate efforts made by these authorities to protect his life and that the executive power having ceased to exist because the President abandoned Mexico City without the indispensable permission of Congress, as well as because of his subsequent death, Congress will meet in extra session to select a provisional president who will supervise the general elections already called and relinquish the office to his successor on the date fixed by law. This note was made public in the local press to-day.

SUMMERLIN

812.00/24225a : Telegram

The Secretary of State to the Chargé in Mexico (Summerlin)

WASHINGTON, *June 19, 1920—1 p.m.*

173. Navy Department has ordered withdrawal of all naval units in Mexican territorial waters, except cruiser *Des Moines* and two destroyers in Gulf, and one destroyer on west coast.

COLBY

812.00/24343 : Telegram

The Consul at Nuevo Laredo (Robertson) to the Secretary of State

LAREDO, TEX., *July 14, 1920—midnight.*
[Received July 15—3:02 a.m.]

Following letter received tonight.

"Citizen Consul of the United States of America, Nuevo Laredo, Tamaulipas. I have written to the commander of the garrison of your city offering guarantees to him and his men if he surrenders the place without resistance and I have the honor so to inform Your Excellency so that you may know of it and cross to the United States with the other American citizens and foreign residents thus avoiding any mishap that might befall you in case there should be a fight. Effective suffrage. No second term. Headquarters at Altos, Nuevo León, July 14, 1920. General Ricardo Gonzalez."

Following is my reply.

"The consul of the United States of America at Nuevo Laredo, Tamaulipas, Mexico, has received a communication date[d] at Altos, Nuevo Laredo [*Nuevo León*], July 14th 1920, in which General Ricardo Gonzalez advises that he has demanded the surrender of the city of Nuevo Laredo, guaranteeing the lives of the commanding officer and his forces, and suggesting that the consul of the United States of America [and] other Americans and foreigners residing in Nuevo Laredo retire to the American side, in order to avoid any injury or danger should an attack be made upon Nuevo Laredo. The consul of the United States of America at Nuevo Laredo desires to advise General Ricardo Gonzalez of his intention of remaining at his post of duty. He further desires to advise General Ricardo Gonzalez and his forces not to fire any shots into American territory, for if this is done, or if any American citizens are killed or wounded as the result of a battle at Nuevo Laredo the consul assures General Ricardo Gonzalez that the American Government may take such action as is deemed proper by the appropriate authorities for the protection of American life and property. Consulate of the United States of America, Nuevo Laredo, Tamaulipas, Mexico, July 14, 1920."

A note along similar lines delivered commanding officer Nuevo Laredo garrison.

ROBERTSON

812.00/24364 : Telegram

The Consul at Monterey (Bowman) to the Secretary of State

MONTEREY, *July 16, 1920—noon.*
[Received July 18—7:22 p.m.]

At the request of family Pablo Gonzalez who fear foul play I held a conference with General Perez Trevino, military commander, this morning. Trevino exhibited two telegrams from President de la Huerta giving him strict instructions to guarantee Gonzalez absolute protection and he assured me positively that there will be no summary action against Gonzalez. At the same time he stated that the latter must answer very grave charges but that proceedings would be legal. Gonzalez is well treated in the penitentiary and is not (ill?). From confidential sources I am led to believe that the case against Gonzalez is indeed serious but I withhold using name of informant in telegram or mails.

It is believed revolution in this region is being subdued; revolutionary forces have been defeated in every engagement; the forces of Ireneo Villareal are badly dispersed; Osuna never made any headway; Guarjardo is believed without forces; it is reported Ricardo Gonzalez entered the United States following defeat at Nuevo Laredo; Doctor Rafael Cepeda has not yet accomplished anything. It is significant that the latter conferred with Pablo Gonzalez here immediately before taking the field. A copy to the Embassy.

BOWMAN

812.00/24400 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *July 28, 1920—2 p.m.*
[Received 8:20 p.m.]

348. Press confirms reported rebellion of Governor Cantu in northern district Lower California and states that measures are being taken to suffocate this new movement against the Government.

It is reported that 2,700 troops under the command of General Abelardo Rodríguez left here July 25th *en route* to Ensenada by sea from Manzanillo.

SUMMERLIN

812.00/24402 : Telegram

The Consul at Mexicali (Boyle) to the Secretary of State

CALEXICO, CALIF., *July 28, 1920—4 p.m.*
[Received July 29—12:11 a.m.]

Governor Cantu claims to have certain knowledge that 2,000 troops have been embarked at Manzanillo destined to attack Ensenada and 13,000 are about to embark at Guaymas to attack Mexicali from the head of the Gulf of California. He has issued a proclamation declaring an armed resistance and calling for support from populace. American industries which are nearly all centered in Calexico, California through Chamber of Commerce of that city are petitioning Department of State to use all possible means to prevent bloodshed and destruction of their property and interests. I recommend that Department of State indicate to the unrecognized De la Huerta Government a willingness to designate a representative to try unofficially to arrange a peaceful settlement between military expedition and Cantu adherents before actual conflict takes place and that I be instructed to make same offer to Cantu.

BOYLE

812.00/24405 : Telegram

The Consul at Mexicali (Boyle) to the Secretary of State

MEXICALI, *July 29, 1920.*
[Received 11:50 p.m.]

Governor Cantu has in his employ two American aviators who state that they are carried on civil basis as instructors. I have pointed out to each of them the seriousness of rendering military service either directly or indirectly in the impending conflict between the forces of Cantu and the Government. My firm belief is that Cantu bases great hope in using these aviators to drop explosives on landing parties.

BOYLE

812.00/24405 : Telegram

The Secretary of State to the Consul at Mexicali (Boyle)

WASHINGTON, *July 30, 1920—8 p.m.*

Your telegram 29th. Military Intelligence Officer, Calexico, instructed to confer with you concerning aviators. Render him every possible facility to prevent them violating neutrality laws.

COLBY

812.00/24415 : Telegram

The Consul at Piedras Negras (Blocker) to the Secretary of State

EAGLE PASS, TEX., *July 31, 1920—noon.*
[Received 4:30 p.m.]

Villa left Sabinas yesterday afternoon marching overland to Barroterán with full force of 700 men where he will entrain troops for Torreón probably stopping one or two days at Cuatro Ciénegas. Authentic report received last night indicates that surrender complete, that Villa will be given command of *rurales* in State of Chihuahua retaining 200 picked men and the remainder being disbanded or merged into regular army at their will. Depredations at Sabinas estimated that [*at*] 30,000 pesos in the form of forced loans to pay troops, Government guarantees to return same. Am informed that 80 horses were taken from American ranches in vicinity of Sabinas. Villa should arrive Torreón coming Wednesday. Embassy advised.

BLOCKER

812.00/24402 : Telegram

The Secretary of State to the Consul at Mexicali (Boyle)

WASHINGTON, *July 31, 1920—5 p.m.*

Your July 28th, 4 P.M. Governor Cantu telegraphs Department [18] for export permit on arms and munitions to enable him to face impending attack.

Inform him, orally and conclusively, that Department is not permitting arms and munitions to be shipped to either faction in Mexico at present. Remind him that this Government will not be able to disregard hostilities which may occur near international frontier, or firing across the line thereby placing American lives and property in jeopardy. Finally, impress upon him imperative necessity of protecting irrigation canals upon which very life of Imperial Valley depends, from intentional or accidental harm.

COLBY

812.00/24400 : Telegram

The Secretary of State to the Chargé in Mexico (Summerlin)

WASHINGTON, *July 31, 1920—6 p.m.*

196 Your July 28th, 2 P.M. Seek early interview with Covarrubias [19] and inform him that this Government confidently expects that instructions will be given Commanders, Expeditionary Forces,

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[18] Telegram of July 28, p. 157.
[19] Miguel Covarrubias, Secretary of Foreign Affairs of the Huerta Government.

en route Lower California, to avoid provoking hostilities near international frontier, whereby American lives and property may be imperiled.

Point out danger to entire Imperial Valley, California, of any accidental or intentional interruption irrigation canals, upon which the very existence of 60,000 Americans depend[s].

COLBY

812.00/24416 : Telegram

The Consul at Mexicali (Boyle) to the Secretary of State

CALEXICO, CALIF., *July 31, 1920.*
[Received 9 p.m.]

Your July 30th, 8 p.m. After conference with military commander at Calexico and his concurrence in my view that presence of American aviators in service of Cantu, no matter what the status claimed, in the present crisis could be construed in no other light than that of military service, but acting on my own authority, I have requested the permit agent at Calexico to take up the border cards of aviator[s] Payne and Goree. I have also requested him to take up the border permit of Major Parr, a British subject just arrived from the United States and employed by Cantu to direct his aviation service. In event expected invasion does not eventuate will recommend return of these border cards.

BOYLE

812.00/24429 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *August 3, 1920—noon.*
[Received 10:40 p.m.]

353. Department's 196, July 31st, 6 p.m. Mr. Covarrubias has confirmed the reports that Cantu is in open rebellion and he stated that all possible measures will be taken for the protection of American lives and property near the frontier and for the preservation of the irrigation canal[s].

SUMMERLIN

812.00/24416 : Telegram

The Secretary of State to the Consul at Mexicali (Boyle)

WASHINGTON, *August 5, 1920.*

Your July 31st.

Department approves action taken regarding aviators' border cards.

COLBY

812.00/24440 : Telegram

The Consul at Mexicali (Boyle) to the Secretary of State

MEXICALI, *August 6, 1920.*
[Received 9:18 p.m.]

Referring further my July 31 and your August 5. Matter of aviators in employ Cantu. I have to report that aviator John Goree, American citizen, notwithstanding counsel of this office refuses to return to United States or to attempt to cross the border, thus making it impossible to take up his border permit. He continues in service of Cantu and is daily making scouting flights to advise of the possible approach of the enemy and I am informed has recently resigned his commission as an officer in the reserve force of the United States Army. I recommend that Department instruct permit agent at Calexico to revoke border permit held by Goree and not to permit his entry into the United States until the question of his standing as a citizen be settled by the issue to him of a Department of State passport and that I be advised of action, if taken, to end that same may be communicated to other ports of entry and nearby consuls. I feel certain that action of Goree is predicated on false assurances from Cantu Government that they have secret support of United States. At all events it is prejudicing neutral position of United States and neutral position of local American interests. With my concurrence, permit agent at Calexico is refusing border cards to persons other than Mexicans who are reasonably supposed to be destined for military service in Lower California and no specific reports are being made of cases.

BOYLE

812.00/24440 : Telegram

The Secretary of State to the Consul at Mexicali (Boyle)

WASHINGTON, *August 7, 1920.*

Your August 6th.

Notify Goree, as under instructions from the Department, that, unless his border permit is returned to Permit Agent at Calexico within 24 hours, instructions for its cancellation will be issued. Furthermore, that his re-entry into United States will not be allowed except on a regular passport issued by Department. Advise Permit Agent.

COLBY

812.00/24472 : Telegram

The Consul at Mexicali (Boyle) to the Secretary of State

MEXICALI, *August 18, 1920.*
[Received August 19—3 : 42 a.m.]

Governor Cantu this afternoon, as forecasted, delivered the reins of government over to Luis M. Salazar and thus brought to a termination the state of factional strife threatened in this district.

BOYLE

812.00/24210

The Secretary of State to the Secretary of the Navy (Daniels)

WASHINGTON, *September 24, 1920.*

SIR: With further reference to my letter of June 18, 1920,[20] relative to the presence in Mexican waters of a number of minor naval units sent there during the month of April of this year, in obedience to a request of the Department of State, I have the honor to say that the emergency having passed, I am of the opinion that these units may now, with safety, be withdrawn from Mexican waters.

I have [etc.] BAINBRIDGE COLBY

812.00/25218a

The Chief of the Division of Mexican Affairs, Department of State (Johnston) to the First Secretary of the Mexican Embassy (Téllez)

The Chief of the Division of Mexican Affairs, Department of State, presents his compliments to the First Secretary of the Mexican Embassy, and has the honor to inform him that the Grand Jury sitting at San Antonio, Texas, has, upon the recommendation of the agents of the Department of Justice, voted conspiracy indictments against the following persons, namely, General Lucio Blanco, Bernardo Blanco, Marciano Gonzales, Leon Taurel, Francisco Vasquez Gomez, Alejo Gonzales, Pedro Villasenor, Pablo Villanueva, Pedro Guzman, Antonio Maldonado, and Fernando Cuen.

Mr. Charles M. Johnston embraces this occasion for renewing to Señor Manuel Téllez the assurances of his distinguished consideration.

WASHINGTON, *December 27, 1920.*

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[20] Not printed.

QUESTION OF THE RECOGNITION OF THE PROVISIONAL GOVERNMENT BY THE UNITED STATES

Informal Conversations in Washington between the Under Secretary of State and the Agents of the Provisional Government—Attitude of Other Governments toward Recognition

812.6363/673 : Telegram

The Consul at Tampico (Dawson) to the Secretary of State

TAMPICO, *May 5, 1920—6 p.m.*
[Received May 7—9:40 a.m.]

Peláez forces are in *de facto* control of Port Lobos and oil loading stations and have made demand for payment to him of export tax, in advance, using as a basis average payment to the Federal Government during the last quarter and requiring answer within 72 hours and threatening reprisals if not complied with which the companies believe will be suspension of operations. Similar conditions may be expected soon in Tuxpam. American interests are, therefore, face to face with question whether to comply and thereby pay taxes to the rebels as well as the Government or suffer consequences of refusal, and appeal to the Department for a definition of its attitude. In view of the apparently endless series of troubles and the growing restlessness, employees seriously contemplating necessary cessation of shipments from Lobos and elsewhere as conditions demand unless given guarantees. Local agents are now consulting their principals on this point. Oil shipments from Lobos stations reach 2,000,000 barrels monthly now and will be 3,000,000 soon if not hindered.

Rumors reported yesterday as to Tuxpam and Panuco have not been confirmed.

DAWSON

812.6363/673 : Telegram

The Secretary of State to the Consul at Tampico (Dawson)

WASHINGTON, *May 8, 1920—6 p.m.*

Your May 5, 6 P.M.

Department takes position that, under the applicable rules and principles of international law, American firms, citizens and corporations may pay customs duties and taxes to persons exercising *de facto* authority in Mexico, and, having made such payment, are free from further obligations in matter. Oil operators must decide for themselves as to whether they will pay taxes in advance or not. Standard Oil Company and representatives of other companies have been so advised.

Department suggests that local representatives of companies should request extension of time limit prescribed, in order that their prin-

cipals in United States may have ample time to issue necessary instructions.

COLBY

612.119/2862

The J. A. Medina Company to the Department of State

NEW YORK, *May 12, 1920.*
[Received May 13.]

GENTLEMEN: The enclosed advertisement[21] appeared in this morning's New York newspapers and as an American Corporation doing business in Mexico, we respectfully ask you to advise us whether we should continue doing business with the Mexican Consulate controlled by the Carranza Government or whether we should recognize the Liberal Constitutionalist Party by conducting our business with Manuel de la Pena who claims to be the Authorized Acting Commercial Agent of the party now said to be in control of the Mexican Republic.

Our shipments are made to the Mexican Ports of Progreso, Vera Cruz, Campeche and Tampico, consular papers being necessary in each case, for which a fee is paid to the Consular Agent here amounting to 3% of the value of the merchandise.

Hoping to be favored with your reply at an early date, we are,
Very respectfully yours,

J. A. MEDINA COMPANY
R. A. MEDINA, *Vice President*

812.00/23962: Telegram

The Consul at Nogales (Dyer) to the Secretary of State

NOGALES, ARIZ., *May 13, 1920—8 a.m.*
[Received 2:55 p.m.]

I have received from Governor de la Huerta a communication announcing his early departure for Mexico City to reorganize the Government and asking me to inform you that the *de facto* Government and all of the civil and military authorities under it have given full guaranties to both nationals and foreigners and that his Government will continue that policy giving the fullest security to capital invested in Mexico in conformity with the laws; that the Government is now favorably disposed to promote relations with the United States in conformity with the usages internation[al] law and on a basis of absolute justice, equity and good faith.

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[21] Not printed.

The original communication is being forwarded to the Department today. I may say that this Government has thus far shown the best of good faith and that my past experience with the Government of Sonora has given me little cause for criticism.

DYER

812.00/24013 : Telegram

The Consul at Nogales (Dyer) to the Secretary of State

NOGALES, ARIZ., *May 18, 1920—10 a.m.*
[Received 4:20 p.m.]

I have [the] honor to report that on Sunday I visited Hermosillo returning yesterday and that I had two interviews with Governor de la Huerta. He like all other Mexicans is interested in knowing how United States looks upon recent events in Mexico and I gave him my personal opinion disclaiming knowledge of official attitude.

Governor said that he is embarrassed for the moment to find funds for his troops especially to feed so many men although in few weeks the national revenues will meet his requirements. I agreed to forward request to Department to make representations to society for protection of American rights in Mexico but on reflection Governor said that if he did ask that association to advise its members to advance tax payments to Mexican Government before they become due it might be construed as recognition or approval by him of said society and he asked if I could not send the telegram to some friend of mine in Washington to be presented by him to Department. I replied that I could address it to James A. Emery, Union Trust Building, Washington. Governor expressed satisfaction with that plan and said he would have his private telegraph send the wire. Last night the telegram had not been received in Nogales which is the first relay station and Governor may have changed his mind.

I respectfully submit to Department the question whether some action can or should be taken to aid the *de facto* Government in Mexico to pay its way during the reconstruction period without resorting to illegal methods of raising revenues, commandeering, repudiations of obligations et cetera. Probably five millions now would be very great help.

DYER

701.1211/242

The Confidential Agent of the Provisional Government of Mexico (Díaz) to the Secretary of State

WASHINGTON, *May 20, 1920.*

EXCELLENCY: I have the honor to advise your Excellency that I have been named by Don Adolfo de la Huerta, president of the Pro-

visional Government of Mexico, as confidential agent of that government, at Washington, charged with its representation near the government of the United States, to succeed General Salvador Alvarado, who has been appointed Secretary of the Department of Finance.

Please accept [etc.] ALVARO TORRE DÍAZ

812.00/24044

The Confidential Agent of the Provisional Government of Mexico (Díaz) to the Secretary of State

WASHINGTON, *May 20, 1920.*

EXCELLENCY: The undersigned, Confidential Agent of the Provisional Government of Mexico, has been instructed by Don Adolfo de la Huerta, president of that government, to make known to the Department of State of the United States, that a condition of peace and order now exists throughout the nation, each and every state thereof having extended loyal adherence and support to the new administration, which has given, and will continue to give, all essential guarantees and protection to the persons and property of all foreigners within its jurisdiction, in conformity with its obligations under the laws of nations. In the accomplishment of this end, the undersigned is instructed to add, that the Mexican government has determined to lend its utmost resources and energy on every occasion.

Meanwhile, or at such time as may be hereafter deemed convenient, the government of the undersigned would be gratified to informally exchange views with that of the United States, in order that a practical and helpful understanding may be reached, based upon principles of justice, equity and good faith, which, it is believed, would contribute toward a mutually closer understanding and relationship.

In the fulfillment of this duty, the undersigned has the honor [etc.]

ALVARO TORRE DÍAZ

812.00/24013 : Telegram

The Secretary of State to the Consul at Nogales (Dyer)

WASHINGTON, *May 21, 1920—4 p.m.*

Your May 18, 10 A.M.

You will exercise caution in your dealings with Governor, and take no steps which may, even by implication, be construed as recognition by any officer of this Government of the new régime. Depart-

ment directs your attention to fact that information given out, and requests made, by Governor of Sonora do not always accord with program of persons now in control at Mexico City.

COLBY

701.1211/245

The Mexican Chargé (Diego-Fernández) to the Secretary of State

[Translation]

WASHINGTON, *May 22, 1920.*

MR. SECRETARY OF STATE: I have the honor to apply to Your Excellency with reference to previous communications [22] and to say to you that the rebels against the Mexican Government are still displaying unusual activity through their agents in the territory of the United States, injuring the good standing and good name of the Constitutional Government of Mexico and openly failing to show the consideration and respect that are due to the personnel of this Embassy and also to the consular offices of the Mexican Government.

The public manner in which those gentlemen act, as may be seen from the clippings which I take the liberty of enclosing,[23] is in my opinion adding insult to injury and places the Embassy and the Consulates in a most awkward situation without any warrant and hampers those offices in the discharge of their duties.

In view of the foregoing, I take the liberty of asking Your Excellency kindly to issue suitable orders to the proper authorities in order to bring to an end the scandalous attitude of rebel agents toward a friendly government.

Thanking Your Excellency for the measures you may be pleased to adopt in this case,[24] I gladly avail myself [etc.]

S. DIEGO-FERNÁNDEZ

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[22] Not printed.

[23] The clippings are from the *New York Tribune*, May 20, 1920. News items not printed; advertisement reads as follows:

TO STEAMSHIP LINES, SHIPPERS AND PASSENGERS

All Consular Papers to Mexican Ports must be authorized by the Commercial Agency of the Liberal Constitutionalist Government of Mexico. The Mexican authorities will not accept documents certified by the Ex-Consuls of Mexico in the United States.

. . . . . .

This Commercial Agency is in charge of Mr. Francisco Tejeda Llorca, 131 St. Charles St., 2nd. Floor. Main 1309.

[24] Marginal note by the Assistant Chief of the Division of Mexican Affairs, Department of State, reads: "5/27/20 Owing to overthrow of Carranza Government, no action taken. R. C. T[anis]."

812.00/24071 : Telegram

The Secretary of State to the Chargé in Mexico (Summerlin)

WASHINGTON, *May 25, 1920—6 p.m.*

158. In connection with your 253, May 24,[25] it should be remembered that this Government has not been advised that the succession to the Presidency upon the death of the late incumbent has been effected in orderly pursuance of the provisions of the Mexican Constitution. The change appears to have been in fact revolutionary and the Executive designation appears to be a provisional expedient resting on the so-called plan of Agua Prieta,[26] devised and carried out by a decree of de la Huerta as "Acting Supreme Chief of the Liberal Constitutionalist Army," modifying the existing electoral law and convoking the Congress which has elected him Provisional President.

You should therefore be cautious in any necessary dealings with the parties now in possession, not to permit any imputation that the present régime has been even *de facto* recognized by the Government of the United States. Recognition cannot be accomplished by inference merely but by the full and formal entrance into international relations through the public action of the respective executives of the two countries.

COLBY

812.00/24174

The Chargé in Mexico (Summerlin) to the Secretary of State

No. 3166 MEXICO, *May 26, 1920.*
[Received June 5.]

SIR: I have the honor to report that with the exception of minor cases of the "commandeering" of animals by revolutionary troops, there have not been many causes for complaints by foreigners since the revolutionary movement began. The conditions in Chiapas appear to be much more healthy than formerly, but the sections or regions dominated by the Villistas remain unchanged. If an open break between Obregón and Villa has occurred, as has been reported, it will soon be apparent to what degree the new régime is desirous of ridding the country of bandits. The press reports that the Government of Chihuahua has already offered a reward of one hundred thousand pesos for Villa, dead or alive.

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[25] *Ante*, p. 154.
[26] *Ante*, p. 150.

It appears to one in Mexico City that the more or less correct deportment of the revolutionary forces throughout the country has been due to the desire of the new régime to obtain at least *de facto* recognition from the United States as soon as possible. (Such recognition from other countries would follow). The statements of General Obregón as to the protection of foreigners and their interests in Mexico and as to the necessity of harmony and understanding between Mexico and the United States point to the same desire.

I have [etc.] GEORGE T. SUMMERLIN

612.119/2862

The Secretary of State to the J. A. Medina Company

WASHINGTON, *May 26, 1920.*

GENTLEMEN: I am in receipt of your letter of May 12, 1920, requesting to be furnished with certain information regarding the payment of invoice fees on shipments of merchandise destined to Mexican east coast ports.

In reply I beg to say that, according to the Department's information, American exporters at Laredo, Eagle Pass, El Paso, and Nogales are paying consular and other fees to commercial agents of the *de facto* authority now actually functioning in Mexico. The Department's information also indicates that exports are moving freely through the ports above mentioned.

However, this Government has not recognized the *de facto* authority mentioned or its so-called commercial agents now stationed at various places in the United States, and for that reason, it is felt that the matter of clearing vessels destined to Mexican ports with or without consular service, as well as the question of payment of consular fees to such commercial agents, must be left to the judgment of individual exporters or to the owners of vessels, as the case may be.

I am [etc.]

For the Secretary of State:
FRANK L. POLK
Under Secretary

812.00/24127: Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *May 28, 1920—1 p.m.*
[Received 6:55 p.m.]

267. In a note dated 27th instant the dean of the diplomatic corps transmitted to me a copy of a note received by him from

Juan Sanchez Azcona [in] charge of Mexican Chancery enclosing a copy of a Mexican Congressional decree dated 24th instant addressed to Azcona officially providing that "the Congress of the United Mexican States under the authority granted it in article 84 of the Constitution" declares that Adolfo de la Huerta is Substitute President of the Republic [of] Mexico for the term ending November 30 this year and summons him to appear before Congress and take the oath of office on June 1st next.

Mr. Azcona requested Mr. Malbran to bring this decree to the attention of his colleagues.

SUMMERLIN

812.00/24150 : Telegram

The Consul at Manzanillo (Walsh) to the Secretary of State

MANZANILLO, *May 30, 1920—5 p.m.*
[Received June 2—9:40 a.m.]

Congressional reception committee to receive Provisional President Huerta invites commander of American destroyer *Bailey* and myself to visit Mexico City as its guests, has placed private car at our disposal and requesting that invitation should be placed before State Department and Navy Department.

My recommendation is that acceptance is impracticable.

WALSH

812.00/24149 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *June 1, 1920—6 p.m.*
[Received 10:34 p.m.]

271. This afternoon's press publishes a telegram from the Chinese Government to the Chinese Chargé here instructing him to recognize the new Provisional Government in Mexico immediately.

SUMMERLIN

812.00/24150 : Telegram

The Secretary of State to the Consul at Manzanillo (Walsh)

WASHINGTON, *June 3, 1920—6 p.m.*

Department concurs in suggestion made in latter part your May 30, 5 P.M., regarding non-acceptance Huerta's invitation.

COLBY

812.00/24168 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *June 4, 1920—3 p.m.*
[Received June 5—1:32 a.m.]

277. My Chilean and Japanese colleagues have informed me that they are in receipt of telegraphic instructions to proceed in harmony with this Embassy in regard to the situation here.

SUMMERLIN

812.00/24177a : Telegram

The Secretary of State to the Chargé in Mexico (Summerlin)

WASHINGTON, *June 4, 1920—5 p.m.*

165. Telegraph what governments, if any, have formally recognized present Administration. Report also whether such recognition [be] provisional or otherwise and keep Department fully advised on subject.

COLBY

812.00/24181 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *June 5, 1920—1 p.m.*
[Received 9:20 p.m.]

278. Department's 165, June 4, 5 p.m. and Embassy's 271, June 1, 6 p.m. China is the only Government which has recognized the present administration. Chinese Chargé d'Affaires states that its recognition is *de facto*.

SUMMERLIN

701.1211/249

The Mexican Chargé (Diego-Fernández) to the Secretary of State

[Translation]

WASHINGTON, *June 5, 1920.*

MR. SECRETARY OF STATE: I have the honor to inform Your Excellency that in compliance with instructions just received from the Mexican Government, I have turned the Embassy over to Señor Dr. Alvaro Torre Díaz, who will be at its head in charge of the interests of Mexico.

I gladly avail myself of the opportunity to say to Your Excellency that I shall treasure pleasant memories of our relations and am

truly sorry to leave the Capital where the authorities of the United States have given me so many evidences of friendship and consideration for which I am profoundly thankful.

I renew [etc.] S. DIEGO-FERNÁNDEZ

701.1211/255a

The Chief of the Division of Mexican Affairs, Department of State (Johnston) to the Second Assistant Secretary of State (Adee)

[WASHINGTON,] *June 7, 1920.*

DEAR MR. ADEE: The Mexican Chargé d'Affaires, being apprehensive that his political adversaries might attempt a forcible entrance of the Embassy, asked that a special patrolman be stationed there continuously.

To this oral request, repeated by this Division, the Chief of Police responded with alacrity.[26]

C. M. J[OHNSTON]

701.1211/250 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *June 11, 1920—4 p.m.*

[Received 9 : 33 p.m.]

285. Mr. Fernando Iglesias Calderón has informed me unofficially that Provisional President de la Huerta has selected him to go to Washington as confidential agent of the present régime and that he will leave for Washington by Laredo June 16th.

SUMMERLIN

812.00/24209 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *June 15, 1920—11 a.m.*

[Received 7 : 12 p.m.]

288. It is reported that the diplomatic corps will soon be invited to meet Provisional President de la Huerta. The dean of the diplomatic corps, in the belief that the Provisional Government is legally constituted and that recognition is unnecessary, states that he is disposed to accept such an invitation when extended.

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[26] Police detail was assigned to the Mexican Embassy May 13, and withdrawn June 5.

One of the local papers today prints a statement evidently given out by the Foreign Office to the effect that the Ministry of Foreign Affairs of France has announced that it regards the Provisional Government of Mexico as [legally] constituted and that special recognition is therefore unnecessary.

Mr. Iglesias Calderón intimated to me yesterday that he felt he would be able to make clear in Washington that the present Provisional Government in Mexico is the legal Constitutional successor of the Carranza Government and that rerecognition is unnecessary.

SUMMERLIN

812.00/24230

The Chargé in Mexico (Summerlin) to the Secretary of State

No. 3202 MEXICO, *June 16, 1920.*
[Received June 25.]

SIR: Supplementing my telegrams of the past week in reference to recognition of the new Mexican régime by foreign governments, I have the honor to report that the local press has quoted the Mexican Foreign Office to the effect that the Italian Minister of Foreign Affairs recently intimated to General Eduardo Hay, the Mexican Minister in Rome, that Italy probably will soon recognize the de la Huerta Government. The Minister is reported to have added that he is of the opinion that no country is legally justified in interfering in Mexico's internal affairs.

The press this morning announces that a special Guatemalan mission, headed by Mr. Marcial García Salas, is now at Laredo *en-route* to this city to arrange for mutual recognition between the Mexican and Guatemalan Governments.

The local press has also reported that Dr. Antonio Dimas Fimento Ferlosa and Mr. Quang Ki-tsen are acceptable to the Mexican Government as Ministers from Brazil and China respectively: that Mr. Jesús Urueta has been named Minister to Buenos Aires; that Mr. Fernando Lera, present chief of Mexican Protocol, has been appointed Minister to Norway; that Mr. Balbino Davalos has been given the mission of Confidential Agent to Great Britain and that Dr. Enrique González Martinez is to be made Minister to Spain. I am informed, however, that Senator Juan Sánchez Azcona is to be appointed to the mission last named.

I have [etc.] GEORGE T. SUMMERLIN

812.00/24217 : Telegram

The Consul at Chihuahua (Stewart) to the Secretary of State

CHIHUAHUA, *June 17, 1920—noon.*

[Received 5:50 p.m.]

Please instruct whether I may recognize signature of present Governor of Chihuahua on a legal document.

STEWART

812.00/24217 : Telegram

The Secretary of State to the Consul at Chihuahua (Stewart)

WASHINGTON, *June 19, 1920—5 p.m.*

Your June 17.

Assuming that Governor is appointee of régime in control at Mexico City, Department must decline to authorize you to recognize his official signature.

COLBY

701.1211/253 : Telegram

The Acting Secretary of State to the Consul at Nuevo Laredo (Robertson)

WASHINGTON, *June 22, 1920—7 p.m.*

Fernando Iglesias Calderón will shortly visit Washington on special mission. He leaves Mexico City June 22.

Department desires that courtesies due distinguished private citizens be extended to Calderón and his party.

DAVIS

701.1211/269

The Special Representative of the Provisional Government of Mexico (Iglesias Calderón) to the Chief of the Division of Mexican Affairs, Department of State (Johnston)

[Translation]

WASHINGTON, *June 29, 1920.*

SIR: My esteemed friend, Mr. Summerlin, very kindly gave me to understand that on my arrival in the city, I should not find the Hon-

orable Mr. Colby here, as he had to attend the Convention of the Democratic Party now being held in San Francisco, California, but that I could call on you for a chat and discuss informally the preliminaries of the Mission with which I have been entrusted by my Government. In the absence of the Honorable the Secretary of State, therefore, and in compliance with the suggestions of Mr. Summerlin, I wish especially to shake your hand and I hope that you will please appoint a day and hour when I may do so.

I avail myself of this opportunity to beg you to present to the President in my name my most respectful salutations with the understanding that those salutations which I shall repeat at the proper time as High Commissioner of Mexico are now presented by the gentleman who thankfully remembers the distinction which President Wilson was pleased to confer upon him on June 1, 1914, by receiving him in private audience.

I take [etc.] FERNANDO IGLESIAS CALDERÓN

711.12/531

Memorandum by the Under Secretary of State (Davis)

[WASHINGTON,] *June 30, 1920.*

Memorandum of Interview with Mr. Fernando Iglesias Calderón at 12 o'clock, June 30, 1920.

Señor Iglesias first stated he could not speak English, but had an interpreter. I told him I should prefer not to have an interpreter, which seemed to relieve him. He then thanked me for granting him an interview, and said he quite clearly understood that I could only receive him as a private citizen. He informed me, however, that he had been designated as High Commissioner and Ambassador Extraordinary and Plenipotentiary by the present Mexican Government and that he desired to give to me unofficially information regarding the conditions in Mexico, the attitude, policies and desires of his Government, and to have a general exchange of views with the hope that an understanding might be reached for the elimination of all obstacles to a closer and more friendly cooperation between the two countries and the ultimate establishment of official relations between the two governments.

He further stated that all of the responsible parties in the existing government are not only desirous of living in peace and harmony with all the foreign countries, and most especially with the United States, but they are firmly convinced that as a matter of expediency such a policy is necessary for the ultimate salvation of Mexico itself; that it is and will be the fixed desire and policy of the existing government not only to make all reparation within its power for

damages and injustices which have been committed in respect to the property and lives of foreigners and especially of American citizens, but also to maintain a government adequate for the protection of life, property and individual liberty.

He then stated that he recalled with pride and satisfaction the interview which President Wilson granted to him as a private citizen in 1914, in which he was most favorably impressed with the attitude of the President and his great patience and justice, as well as the desire of the United States to be considerate of the shortcomings of countries which may not be so powerful or have reached the same state in democratic development. He stated it would take Mexico some time to reach anything like the development that the United States had reached, but ultimately by education, et cetera, they hoped to approach it. He recalled with pride that President Wilson had known of his father as a historian.

Señor Iglesias expressed with considerable warmth his appreciation of my having consented to see him and to give him an opportunity to discuss direct with me the situation which so vitally affects his own country and also the United States. He said he had been led to believe that he might not be able to secure a direct audience. I then told him I had decided to depart from usual practices because I was glad to have an opportunity to state to him unofficially, that this government has watched with considerable interest all developments in Mexico; that many of the statements and acts of the present authorities in Mexico have, since obtaining control, given considerable hope of an improved change in the Mexican attitude and policy which if maintained must be for the great good of Mexico. I also told him we are desirous of encouraging such hopeful developments which come at a most opportune time when the unparalleled patience of the American people towards Mexico shows indications of exhaustion.

I also said it was a pleasure to receive him as a distinguished citizen of Mexico, of whose reputation as a man of culture and letters I had previous knowledge, and that I was glad to have from him such assurances of the will and purpose of those in control of Mexico, of which I would take occasion to inform the President in the hope that those assurances may be translated into a satisfactory understanding with reasonable certainty of the power of the existing Mexican Government to carry out the policies indicated and ultimately justify the President in entering into closer and official relations with the Mexican authorities.

I then told him that I would not enter into further details at least for the present, but would advise him later when I might be able to continue the discussion.

Before leaving, I informed Mr. Iglesias of the receipt of Cable No. 309 of June 29 from our Chargé in Mexico [27] communicating a reply from the Mexican Minister of Foreign Affairs regarding the Jafredson murder case. I told him it was very satisfactory to receive such a frank communication from the Mexican authorities, which was quite different from that to which we had become accustomed in our dealings with previous leaders, and which indicated an acceptable change in policy and gave considerable hope for the future. I added that this change might result in ultimate benefit to Mexico as well as to the United States, and that we would not object to the Minister of Foreign Affairs giving out to the press in Mexico City this communication of his Government, which would show the Mexican people the change of policy of the Mexican Government. He told me he would telegraph his Government to that effect.

I was most favorably impressed with Señor Iglesias. He is cultured and apparently patriotic and sincere.

[No signature indicated]

701.1211/256

The Confidential Agent of the Provisional Government of Mexico (Díaz) to the Chief of the Division of Mexican Affairs, Department of State (Johnston)

[Translation]

WASHINGTON, *July 2, 1920.*

HIGHLY ESTEEMED SIR: I have the honor to inform you that in compliance with instructions from Señor don Adolfo de la Huerta, Acting Constitutional President of the Mexican Republic, I turned over the Embassy on this day to Señor don Fernando Iglesias Calderón, High Commissioner of my Government, with the rank of Ambassador Extraordinary and Plenipotentiary.

I gladly avail myself of this opportunity to tender you my thanks for the kind attentions shown me while I had charge of the interests of my country at this capital and more particularly for the spirit of cordiality in which you were pleased to attend to all the matters which I have had to bring before the Division in your charge in connection with my official duties.

I take [etc.] ALVARO TORRE DÍAZ

[27] Not printed.

812.00/24359 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *July 17, 1920—1 p.m.*
[Received 6:45 p.m.]

331. *El Democrata* today publishes the statement that the Government of Venezuela has decided that Constitutional order has not been interrupted in Mexico and consequently has recognized the Mexican Government of Substitute President de la Huerta. The Foreign Office has advised me informally that this statement is correct.

SUMMERLIN

812.00/24468 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *August 17, 1920—noon.*
[Received 7:43 p.m.]

366. Today's press states that Department has advised Mr. Iglesias Calderón that recognition will be extended present Mexican régime on the following conditions: protection for lives and property of Americans in Mexico, indemnity for damages suffered by Americans in Mexico and revocation of confiscatory Carranza laws.

SUMMERLIN

812.00/24468 : Telegram

The Secretary of State to the Chargé in Mexico (Summerlin)

WASHINGTON, *August 18, 1920—6 p.m.*

207. Your August 17, noon.

No promises have been made to Señor Iglesias regarding question of recognition of present régime, whose contact has been confined to one or two informal talks with the Undersecretary.

Statement denying promises given publicity here August 17.

COLBY

812.00/24479 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *August 19, 1920—noon.*
[Received August 20—7:50 a.m.]

370. Acting Secretary of Foreign Affairs made public today a statement that Mr. Iglesias is not authorized to receive conditions referred to in my telegram 366, August 17, noon.

SUMMERLIN

812.00/27422

Memorandum by the Under Secretary of State (Davis)

[WASHINGTON,] *August 24, 1920.*

Memorandum of Conversation with Señor Fernando Iglesias Calderón

I first informed Mr. Iglesias that I had received his letter of August fourteenth,[28] which I had not answered because I considered it would be futile to enter into academic discussion of the question whether the official relations between our respective countries were not formally severed by the overthrow in May of this year of the Government of Ex-President Carranza. Equally futile would it be for me to enter into an argument as to whether Señor de la Huerta was, or was not, elected Substitute President in accordance with those provisions of the Mexican Constitution applicable in cases of the permanent disability of the Chief Executive. It will be admitted, I stated, that so far as affects the United States of America, this Department must, in the last analysis, pass final judgment on both of these questions. Recognition, my Government holds, must be spontaneous, not inferential. There must be a reciprocal desire to enter into official relations, and such a desire must spring from a mutual appreciation of, and respect for, the inherent rights of the citizens of one country when engaged in orderly and legitimate business enterprises within the jurisdiction of the other.

I told Mr. Iglesias I had read press despatches from Mexico to the effect that the Mexican Government had stated officially that he was not authorized to receive from this Government any conditions relating to a recognition of the Mexican Government by the United States Government. He replied that as he had stated to me informally he had been appointed as Ambassador to the United States, with the usual powers of an Ambassador, and either that said press despatches were not official or were intended to convey the opinion which his Government undoubtedly holds, that it is not customary for one Government to dictate to another Government the conditions upon which it will recognize such Government; that he presumed that a recognition of the Mexican Government, or the resumption of official relations with the Government, would follow as soon as the Government extending recognition is convinced that the Mexican Government is capable of fulfilling its international obligations.

I then stated that certain events of recent occurrence lead my Government to doubt whether the administration of Señor de la Huerta has placed a proper appraisement upon the protests hereto-

[28] Not found in Department files.

fore lodged by the Department of State against the retroactive and confiscatory provisions of Article XXVII of the Mexican Constitution of 1917.[29] These protests voiced the Department's grave apprehension that the enforcement of President Carranza's Executive Decrees would seriously impair the friendly relations between the two countries. They deprecated the policy adopted by the Petroleum Section of the Department of Industry, Commerce and Labor in accepting denouncements filed by third parties on properties acquired by American citizens prior to May 1, 1917, and they pointed out the obvious advantages of maintaining the *status quo* with respect to the many phases of the oil controversy pending the enactment by the Mexican Congress of an organic petroleum law.

Much to its surprise and regret, my Government now observes that the attitude of Señor de la Huerta with respect to Article XXVII of the Constitution appears in no essential particular different from that of his predecessor. Notwithstanding the interviews appearing in the Mexico City press shortly after his elevation to the office of the Substitute Chief Executive in which he was quoted as being enthusiastically in favor of abrogating the said Carranza Decrees, no steps in that direction have been taken. Denouncements numbering hundreds have been admitted for filing on American properties, the deeds and leases to which antedated by several years the adoption of the Constitution of Queretaro, and at least in one case coming to the attention of the Department, a title has actually been issued by the Department of Industry, Commerce and Labor to third parties covering property belonging to citizens of this country.

I indicated that the continuance by the present administration of the petroleum policies adopted by Ex-President Carranza will further complicate an already complicated situation. It will tend to delay any action which my Government may have desired to take in respect to resuming official intercourse with Mexico, and, finally, it will retard that restoration of confidence in the ability and willingness of Mexico to fulfill its international obligations—a confidence which all true friends of Mexico would be gratified to see restored at the earliest possible moment.

Mr. Iglesias was inclined to believe that there had been some misunderstanding regarding the recent denouncements for oil development but stated that he would convey to his Government the views expressed by me and hoped to give a satisfactory explanation in the very near future.

He then stated that he had every reason to believe that his Government had not in any sense changed from its desire and willingness

[29] For papers relating to this subject, see pp. 200–226.

to rectify any injustices and adopt the policies heretofore indicated, and to maintain the closest friendly relations with the United States, complying with all of the natural obligations of a sovereign state, member of the Society of Nations. He again expressed the hope that this Government would at an early date renew official relations with Mexico. I then reiterated what I had told him before and expressed the hope that the Mexican Government would be able in the near future to take such effective measures as would eliminate existing complications and obstacles to a renewal of friendly and official relations.

N[ORMAN] H. D[AVIS]

812.00/27399

Memorandum by the Under Secretary of State (Davis)

[WASHINGTON,] *August 30, 1920.*

Memorandum of a Conversation with the Mexican Representative, Señor Fernando Iglesias Calderón.

Señor Iglesias first brought up the question of the request which had been made some time ago to the Chief of the Mexican Division that Henry Hittners' Sons Company, of Philadelphia, be permitted to sell seven superannuated torpedo boat destroyers to the Mexican Government. He explained that Mexico would like to have these overhauled for utilization only as revenue cutters and despatch boats in Mexican waters. He said that they would expect the torpedo tubes to be removed and to have such small guns as would prevent them from being in any sense used as naval ships. He was very anxious for an immediate reply. I explained to him that we have been refraining from giving our approval of the sale to any countries of any of our naval vessels, but that this matter would be taken into consideration, and in view of the conditions outlined it might be possible to make an exception.

He then informed me that the President of Mexico is very desirous of removing all obstacles to a resumption of official relations between the two countries. He fully realized that certain decrees issued by Carranza in respect to oil developments had been a serious cause of complaint on the part of this Government; that it was necessary to have a proper and final interpretation of Article 27 of the Constitution to the effect that this Article shall not be retroactive and in any way conflict with the valid rights acquired before the adoption of the Constitution, and that the President is considering the issuance of a decree revoking the various decrees of Carranza. He desired to know if this latter action would be satisfactory. I told

him that this would undoubtedly still leave the matter open for further Presidential decrees and that some effective means must be obtained for settling once and for all the mooted question regarding the actual purport of Article 27.

He then informed me that while his Government must necessarily, to a certain extent, be guided by public opinion in Mexico and the prevailing political situation, it is most desirous of meeting all objections of the United States Government which would prevent an early resumption of diplomatic relations. He said the fact that he had been here for two months without being permitted to present to the President his letter of credentials could not be understood in Mexico and that in the face of many measures which the Mexican Government has already taken to eliminate causes of previous complaint, and reiterated assurances of making reparation for all damages and injustices committed by previous administrations, he felt that it would be decidedly to the advantage of both countries to resume official relations at the earliest possible moment. He asserted that the mere presentation of his letter of credentials to the President would not involve a recognition of his Government but would have a decidedly good effect. I explained to him that the acceptance by the President of such a letter would undoubtedly be construed as recognition of his Government, at least in the public mind, and that irrespective of the views of this Government, indications are that public opinion in the United States would not favor a resumption of official relations with Mexico unless the principal obstacles are removed which were a cause of complaint and constant misunderstanding and controversy between the United States and previous recognized governments of Mexico. He then stated that we could dispose of such problems more easily through official negotiations. To this I replied that his unofficial status had not prevented him from discussing freely with me any of such questions and that, on the contrary, I felt that it was more advisable for both countries to dispose of some of the principal obstacles to a proper friendly official intercourse so that when official relations can be resumed there will be more definite assurance than heretofore that such relations will grow closer and be more satisfactory.

He said that President de la Huerta is to make a report to Congress on September 1st, which would be impossible without making some allusions to the relations with the United States, and he desired to know what the President could say about this. I suggested that the President of Mexico might make a frank statement to the Mexican Congress of the above facts and that it would no doubt have a good effect if he should further state that it is the intention of the Mexican Government to eliminate all obstacles to a proper

friendly and helpful official relation with the United States, which he hoped might be accomplished within the near future.

Upon a specific inquiry from Señor Iglesias, I stated that there would be no objection to the Mexican President stating that although official relations had not been resumed, the Department of State has, whenever he requested, received him unofficially to discuss relevant questions and that there are marked evidences of a better understanding between Mexico and the United States than has prevailed for many years past.

[No signature indicated]

812.6363/721 : Telegram

Mr. Robert Murray to the Secretary of State

NEW YORK, *September 5, 1920.*
[Received September 6—6: 50 a.m.]

Roberto V. Pesqueira, general financial agent of the Mexican Government, is desirous of talking with you informally and unofficially with particular reference to the petroleum controversy which he is earnestly endeavoring to arrange by direct negotiation with the heads of the companies. Will it be possible for you to receive him on Wednesday or Thursday as he only awaits this interview to return to Mexico to confer with the President. My address the City Club.

ROBERT MURRAY

812.6363/721 :Telegram

The Secretary of State to Mr. Robert Murray

WASHINGTON, *September 7, 1920.*

The Chief of the Division of Mexican Affairs of Department of State will be pleased to discuss with Mr. Pesqueira, matters mentioned in your telegram of September 5th.

BAINBRIDGE COLBY

812.00/24642½

Report of the Chargé in Mexico (Summerlin) of an Interview with President-Elect Obregón at Mexico City, September 13, 1920 [30]

I told General Obregón that I was leaving for Washington on the following day and asked him, privately and confidentially, if he

[30] Received in the Department without covering despatch, Sept. 23, 1920.

would be good enough to repeat to me the confidential statement he asked Mr. E. R. Jones, the President of the Wells Fargo Express Company in Mexico, to transmit to the Secretary of State.

He said that he had asked Mr. Jones to say that it was necessary for Mexico to have the most harmonious relations with the United States, and that our two countries must have a perfect understanding; that he believed it was necessary for all of the countries in this hemisphere to come together in a union of some kind, as a matter of protection against European or Asiatic aggression. He said that all of the American countries might be considered as a body of which the United States is and should be the head; that if anything should happen to the head of this body of States the remaining American States would be at the mercy of any invader or aggressor.

General Obregón stated that Mr. Iglesias Calderón would soon be called back to Mexico and that it would not be necessary to enter into any serious conversations with him.

The General thought that the recognition of Mr. de la Huerta would help the general situation, but intimated finally that such recognition was not an absolute necessity. (I gathered the impression here that General Obregón would like to feel that full recognition would be accorded on the date of his inauguration).

General Obregón said that he would consult the leaders of the political parties, which had supported him, before deciding definitely on his Cabinet. However, he mentioned the following suitable candidates:—

Mr. Zubaran Capmany
Mr. Estrada (Sub-Secretary of Commerce & Industry)
Mr. Gonzalez (A Justice of the Supreme Court)
Mr. José I. Lugo (Sub-Secretary of Gobernacion)
General Calles—Secretary of War.
General Amado Aguirre
Mr. Novelo—President of the P.L.C.

GEORGE T. SUMMERLIN

711.12/318

Memorandum by the Under Secretary of State (Davis)

[WASHINGTON,] *September 23, 1920.*

Memorandum of Conversation with Señor Iglesias Calderón, Mexican Representative.

Señor Iglesias Calderón informed me that he had asked for an interview to make the following statements:

First. That he had not sent the communication to Mexico published in some of the papers which stated that he had had an inter-

view with Secretary Colby; that this must be some mistake of the Foreign Office in Mexico; and that he would give out an announcement to the press rectifying the error. He regretted this incident very much, and asked me to tell the Secretary how much he regretted the mistake.

Second: Although the President had just asked him if he would accept the post of Minister of Foreign Affairs, he had declined this, thinking it his duty to return to Mexico to represent his constituents who had recently elected him as Senator from the Federal District. He regretted leaving the United States but as he came here primarily to deliver to President Wilson a personal letter from President de la Huerta, and for a general interchange of views for the purpose of bringing about a better understanding, he felt that he should return to Mexico within a short time to fulfill his duties as Senator-elect. He stated he regretted very much to return to Mexico without being able to present to President Wilson this letter. I informed him that I feared that the presentation of the letter might create an erroneous impression and be construed as a resumption of official relations between the two governments, and I inquired the purport of the letter. He said it was merely a letter from President de la Huerta informing President Wilson of his election as President of Mexico by the Mexican Congress, and of his desire to cooperate in a most friendly way with the United States. He offered to show me the letter informally, and expressed the hope that if the President could not receive him in order to accept the letter, he would like very much to present the letter to me as the President's representative. I agreed to let him know later if either could be done.

Third: He then informed me that he had received a personal telegram from President de la Huerta, requesting him to inform me that the Mexican Government is most desirous of clearing up every misunderstanding with the Government of the United States, and of making every possible effort to make such rectifications and compliances as would remove the obstacles between [*to?*] a resumption of official relations between the two Governments; and that in order that we might obtain a clearer understanding of the problems with which Mexico is confronted and of the various questions involved, he hoped very much that President Wilson would send a personal representative to Mexico to take up such questions directly with the Mexican Government. I told him that I could not give him any answer regarding this, but would inform the President.

N[ORMAN] H. D[AVIS]

711.12/331

Memorandum by the Under Secretary of State (Davis)

[WASHINGTON,] *September 23, 1920.*

Memorandum of Conversation with Mr. Pesqueira, Financial Representative of Mexico.

Mr. Pesqueira first outlined the efforts which General Obregón, President de la Huerta, Mr. Calles and himself (all of Sonora and old friends) had made and are making to get Mexico on her feet and to establish and maintain the closest friendly cooperation with the United States, which they all deem essential. He then said they were willing and prepared to settle fairly and justly all controversies between the two countries and that there were no outstanding questions which would offer any difficulty of immediate settlement except possibly that with the oil interests, but even in this respect the Mexican Government was willing to go to practically any extreme of concession which would be fair to all interests concerned to dispose of this problem which has caused so much feeling and misunderstanding. In an endeavor to reach a settlement with the oil interests he had held several conferences with the International Committee in New York. His first object was to find out just what their contentions are, but so far this has been a difficult task. They have confined themselves principally to berating the Mexican Government and have asserted that unless and until the Mexican Government protects their interests and meets their demands there will be no recognition by the United States Government.

I told Mr. Pesqueira that, while this Government will insist upon fair and equitable treatment to Americans and their properties in Mexico, it will not press any unreasonable claims; that if and when the time arrives when this Government considers it opportune and advisable to extend recognition to the Mexican Government it will not be based upon some one isolated question such as that of the settlement of the oil controversy; that it would be well to bear in mind that no interests or groups will be able to deliver the United States Government, and that I would not care to have the Mexican Government misled into believing that a settlement of this one question would automatically result in recognition. I told him this Government is not attempting to pass upon the validity of titles, leases, etc. in Mexico and that it must necessarily take an impartial position in respect to conflicting claims of American oil interests in Mexico. I further told him that the United States Government does not contemplate dictating conditions on which recognition will be

extended, but that when recognition is extended it will be based on the general principles heretofore followed and laid down by this Government in such cases and after Mexico has taken such measures as will in the opinion of this Government justify recognition. I also said nothing would be gained for Mexico or the United States by the renewal of official relations until the removal of the obstacles which have heretofore prevented the normal, satisfactory, official relations which should exist between two friendly peoples.

Mr. Pesqueira then said they were most anxious to have an impartial study made of the oil controversy and that the Mexican Government would be prepared to adhere to the recommendations so made. He then told me that a treaty or some definite arrangement could be made between the two Governments, providing for the automatic disposal of all questions in controversy, and that, if they could not come to a satisfactory understanding in the very near future with the oil interests, they could probably be disposed of by an agreement between the two Governments, providing for an arbitration commission to be named by the two Governments whose decision would be binding on Mexico. He urged that such arrangement should be effected with the de la Huerta régime and that the present Government be recognized, because as Mr. de la Huerta goes out of office in December he would not have to take into consideration the political aspects to the extent that Obregón would have to do, and that, if all these questions could be settled and recognition extended now, Obregón could then take office with a clean slate. He said that of course Obregón would approve of any arrangements that de la Huerta makes.

Mr. Pesqueira said that the Mexican people were now beginning to realize that President Wilson has been the greatest friend Mexico has had, and that it would have a wonderful effect and would be a complete vindication of his policy to have the Mexican Government recognized by his administration.

I again repeated to Mr. Pesqueira that no one was more desirous of being helpful to Mexico than President Wilson, but that in my judgment the last thing he would consider doing would be to dictate to Mexico the conditions upon which he would extend recognition; that it was entirely within the control of Mexico to bring about conditions and a situation which would justify, in the opinion of this Government, the extension of recognition; that the time in which such a situation can be brought about is entirely within the control of the Mexican Government and people, but that it would be impossible now to state just what would remove all of the obstacles to recog-

nition; that nothing would be gained by renewing official relations until Mexico can show that the Mexican Government not only desires to protect life and property and respect valid rights, but that it has taken definite and effective measures to repair the damages which have been committed and to give proper assurances against a repetition of past inability or reluctance to comply with the ordinary international obligations incumbent upon a member of the Society of Nations.

. . . . . .

N[ORMAN] H. D[AVIS]

812.00/24673

The Chargé in Mexico (Hanna) to the Secretary of State

MEXICO, *September 25, 1920.*

No. 3390 [Received October 7.]

SIR: I have the honor to report that the local press of today, states that the Foreign Office has received an autograph letter from the President of the Republic of Costa Rica in reply to Mr. de la Huerta's letter stating that he had been elected Substitute President of Mexico.

I have [etc.] MATTHEW E. HANNA

701.1235/15 : Telegram

The Chargé in Mexico (Hanna) to the Secretary of State

MEXICO, *September 27, 1920—10 a.m.*

[Received 11:23 p.m.]

401. The Argentine Minister here confirms local press reports that the Mexican Minister to Argentine Republic has presented his credentials.

HANNA

812.00/24669 : Telegram

The Chargé in Mexico (Hanna) to the Secretary of State

MEXICO, *October, 6, 1920—3 p.m.*

[Received 11:07 p.m.]

410. Foreign Office confirms local press reports of today that Honduras and Salvador have recognized the Mexican Government.

HANNA

812.00/24687 : Telegram

The Chargé in Mexico (Hanna) to the Secretary of State

MEXICO, *October 13, 1920—10 a.m.*
[Received 9:45 p.m.]

416. The Liberal Party press to-day publishes the autograph letter of the President of the Swiss Confederation dated the 6th, ultimo in reply to Mr. de la Huerta's letter announcing that he had been elected Substitute President of Mexico.

HANNA

701.1211/265 : Telegram

The Chargé in Mexico (Hanna) to the Secretary of State

MEXICO, *October 15, 1920—7 p.m.*
[Received 9:41 p.m.]

423. Mr. Roberto Pesqueira who will leave for Washington to-night accompanied by his staff informs me that he is the " personal representative of Substitute President de la Huerta and confidential agent of the Mexican Government " and will resume the negotiations begun by Mr. Iglesias. He adds that he has full powers and carries the strongest propositions of the Mexican authorities in regard to all pending questions including the petroleum industry, . . .

HANNA

701.3212/60 : Telegram

The Ambassador in Brazil (Morgan) to the Secretary of State

[Extract]

RIO DE JANEIRO, *October 24, 1920—4 p.m.*
[Received 4:55 p.m.]

102. Brazilian Government having asked the Carranza Government to accept Feitosa, Brazilian Minister to Paraguay, as Brazilian Minister to Mexico and the Carranza Government having fallen before giving an answer, the present Mexican Government agreed to accept Feitosa although since it did so the Brazilian Government has not again referred to the matter. Present Mexican Government then named Alvaro Torre Diaz, Mexican Minister to Brazil and started him toward Rio de Janeiro on steamship *Avare* which is due here to-morrow.

Brazilian Ministry of Foreign Affairs which wishes to cooperate with present Washington policy in regard to recognition of present Mexican Government is embarrassed by Diaz' prospective arrival,

more especially because before leaving for Europe Rodrigo Octavio, Under Secretary of State, stated to Mexican Chargé d'Affaires that Brazil would consult the American Government in regard to Diaz reception.

. . . . . .

MORGAN

812.00/24701½

The Confidential Agent of the Government of Mexico (Pesqueira) to the Secretary of State

WASHINGTON, *October 26, 1920.*

MY DEAR MR. SECRETARY: While the informal and frank conversations I have had with Mr. Norman Davis, the Under Secretary of State, have resulted in a cordial and thorough understanding, I beg the liberty of putting upon paper the exact position and the definite desires of my government.

As you know, and as the United States must see, it is a new Mexico that faces the world in pride and confidence. From border to border there is peace. Not a single rebel remains in arms against the federal government, and a whole nation thinks in terms of law and order and reconstruction. On September 5 our citizens cast their votes in due accord with democratic procedure, and Alvaro Obregón, the great soldier-statesman chosen to be president, is supported not only by a coalition of parties, but by a union of faith and patriotism.

What you may not know, however, is the new spirit that animates my country. It is not only the case that our men and women have come to a deep and lasting appreciation of what Mexico owes to the idealism of President Wilson, so nobly and patiently exhibited in the unhappy years during which our oppressed millions fought against the injustices that weighed them down for centuries. It is equally true that they have thrilled to the world vision of the President—his tremendous ideal of universal fraternity.

Mexico today is not merely planning a future of happiness and justice for all within her borders. Out of our new strength we are willing and eager to play our proper part in the creation of a new and better order that will lift ancient burdens from the back of humanity.

A first task, of course, is firm and enduring friendship between Mexico and the United States. Not only are we neighbors, but every other consideration points to the wisdom of an understanding that goes beyond mere treaties and sinks its roots into the heart of each nation. We have the same political institutions, the same aspirations, the same ideals, the same goals.

Such a friendship is fast forming. The governors of Texas, New Mexico and Arizona—your border States—have already stretched out the hand of friendship, voluntarily telegraphing the President as to their faith in the stability, honesty and sincerity of my government.

Our business is to set this friendship on foundations so firm that it cannot be shaken by the attack of reaction. Permit me, therefore, to deal in detail with certain slanders that have not only prejudiced the people of the United States, but which have aroused much bitterness in my own country.

Mexico cannot but feel deeply grieved over the charge that she intends or has ever intended to disavow her obligations. President de la Huerta, as well as President elect Obregón, have on repeated occasions publicly declared that Mexico will respect all rightful claims duly proved as such, submitting herself to the recognized principles of international law.

The Mexican Government is prepared to establish a joint arbitration Commission to pass upon and adjudicate the claims presented by foreigners on account of damages occasioned during the revolution. Any claim that cannot be adjusted by means of direct negotiations between the claimant and the Mexican Government will be submitted to the consideration of this Commission, whose decisions will be deemed final and binding.

Mexico has likewise upheld that, in order to place international relations on a solid foundation the existence of a permanent machinery of arbitration is essential, for the purpose of deciding any difference. As regards the United States specifically, Mexico has already expressed her intentions in Article XXI of the Treaty of Guadalupe Hidalgo, and is prepared to enlarge and strengthen this machinery.

Our plan is to establish a national program based on order and justice. It is our firm belief that the people of North America are just as faithful to their own high ideals. Hence, nothing could better shield the dignity of both republics, as nothing could be more efficacious for the continuance of peaceful relations, than the operation of a Commission of this nature, organized in accordance with recognized international practices.

This policy should be made permanent, and the Mexican Government desires to cooperate in so far as may be needful towards this end.

Another cause of deep national resentment for the Mexican Government, is the oft repeated assertion that our laws are of a retroactive and confiscatory nature, and that our national program is based on a policy of confiscation. This is entirely groundless. Not one square yard of land has been confiscated in Mexico, not a single

legitimate right of property has been annulled. Nor do we intend to deviate from this fundamental policy. President de la Huerta, and President-elect Obregón have also made repeated public declarations to the effect that Article 27 of the Mexican Federal Constitution is not and must not be interpreted as retroactive or violative of valid property rights.

We are a proud people, and the source of our pride is as high a conception of national honor as was ever erected by any nation. Therefore, Sir, when the Mexican government declares that it is willing and ready to assume full responsibility for all of its international obligations, it is a solemn pledge that will be kept to the letter.

Present conditions in Mexico—the stability of the government, the spirit of the people—together with the plain statement of a sovereign people's purposes, all combine, it seems to me, to end misunderstanding, and I have the hope that your government will feel justified in recognizing the present government of Mexico, and in resuming official relations in order that [in] a spirit of true friendship and cooperation we may look forward to the necessary rehabilitation of Mexico.

Please permit me to thank you for your many courtesies and never failing understanding. In the spirit of your great President you have not lacked in appreciation of our struggle for liberty, nor have you ever lost sight of the fact that the sovereignty of Mexico is the most sacred possession of our people. It is because of this attitude that I am able to write to you in such frankness and such sureness that you will understand this letter to be no mere political overture, but the honest expression of an honorable friendship.

Respectfully,

R. V. Pesqueira

701.3212/60 : Telegram

The Secretary of State to the Ambassador in Brazil (Morgan)

Washington, *October 26, 1920—7 p.m.*

60. Your October 24, 4 p.m.

This Government is giving careful consideration to the Mexican situation, but has reached no definite decision on question of recognition of present régime.

You may, however, inform the Minister for Foreign Affairs that this Government is highly gratified to receive this renewed assurance that the Brazilian Government desires to cooperate with this Government in its policy regarding recognition of the present Gov-

ernment of Mexico. It therefore hopes that the Brazilian Government may deem it desirable to postpone temporarily the taking of any action which would constitute recognition of the present Mexican Government, such as the reception of the newly accredited Mexican Minister to Brazil. The Government of the United States will be glad to advise the Brazilian Government when it determines to recognize the new government of Mexico, before taking action in that sense.

COLBY

812.00/24760

The Chargé in Mexico (Hanna) to the Secretary of State

No. 3442 MEXICO, *October 27, 1920.*
[Received November 5.]

SIR: I have the honor to enclose herewith a translation of an autograph letter of the President of Guatemala [32] in reply to the autograph letter of Mr. de la Huerta announcing that he had been elected Substitute President of Mexico.

I have [etc.] MATTHEW E. HANNA

701.3212/60 : Telegram

The Acting Secretary of State to the Ambassador in Brazil (Morgan)

WASHINGTON, *October 29, 1920—7 p.m.*

62. Your October 24, 4 p.m. and Department's October 26, 7 p.m. The Secretary of State is today issuing a statement to the press referring to the discussions which have, for some time, been in progress between the Department and the Confidential Agent in Washington of the Mexican Government, and in particular to a note recently received from him. The announcement contains the following significant statement:

"The new Government of Mexico has given indication of stability, sincerity and a creditable sensitiveness to its duties and their just performance. . . .[33] The letter of Mr. Pesqueira offers a basis upon which the preliminaries to recognition can confidently proceed, and I am hopeful that within a short time the sympathetic friendship and the patient forbearance which President Wilson has manifested toward the Mexican people during the long period of their internal disorders will be fully vindicated. The desire reflected in Mr. Pesqueira's letter for the confidence and amicable regard of the United

[32] Not printed.
[33] Omission indicated in the original telegram.

States is fully reciprocated, and I am happy to believe that the last cloud upon the ancient friendship of the two peoples is soon to disappear."

In view of the gratifying desire of the Brazilian Government to cooperate with this Government concerning recognition of the present Government of Mexico, the Department desires you to communicate the above to the Minister for Foreign Affairs and inform him that this Government will notify the Government of Brazil before according formal recognition to the present Mexican Government.

DAVIS

701.3212/61 : Telegram

The Ambassador in Brazil (Morgan) to the Secretary of State

RIO DE JANEIRO, *October 30, 1920—3 p.m.*

[Received 5 p.m.]

105. Have communicated substance of Department's October 29, 7 p.m., containing statement given to press, to Secretary of State for Foreign Affairs who has received telegram from Alencar [34] in the same sense. Minister has declined for the present to receive officially Torre Díaz who arrived on October 26th as Mexican Minister to Brazil, alleging as a reason that his *agrément* has not been granted. May however meet him unofficially next week.

[MORGAN]

812.00/24764 : Telegram

The Chargé in Mexico (Hanna) to the Secretary of State

MEXICO, *November 6, 1920—10 a.m.*

[Received 8 p.m.]

440. The local press today publishes the following circular telegram sent yesterday to all Mexican diplomatic representatives in foreign countries:

"Through telegraphic advices from abroad I am informed that the press of the United States as well as of Europe has published the rumor that certain governments in renewing their relations with ours have established or wish to establish specific conditions, it being stated that these will be included in protocols and special treaties.

You will deny these unfounded statements because as I have made public on more than one occasion the Government in Mexico will

[34] Augusto Cochrane de Alencar, Brazilian Ambassador at Washington.

under no circumstances consent to relations with other countries being renewed upon the bases of conditions which affect the decorum of our fatherland.

It would not be just or acceptable that an attempt be made to impose upon us that which we are bringing to a realization voluntarily and through conviction. Our attitude based on morality and right shall be the only guarantee offered for considering our Republic to be in harmony with the other civilized peoples of the earth.

Negotiations of whatever nature they may be, entered by our representatives of whatsoever rank or standing, that do not conform to the policy announced by me on various occasions in public statements I have made and which is ratified by this circular, shall not merit the approval of the Executive office at present in my charge.

Signed, Adolfo de la Huerta."

HANNA

812.00/24768 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *November 11, 1920—4 p.m.*

[Received 10:06 p.m.]

444. Foreign Office has confirmed the local press report that Colombia has recognized the present Mexican régime.

SUMMERLIN

812.00/24776 : Telegram

The Governor of California (Stephens) to the Secretary of State

SACRAMENTO, *November 19, 1920.*

[Received 5:34 p.m.]

Several United States Governors are invited to inaugural ceremonies of President Obregón of Mexico. Does State Department advise trip being made? Kindly advise at once.

WM. D. STEPHENS

812.00/24776 : Telegram

The Secretary of State to the Governor of California (Stephens)

WASHINGTON, *November 20, 1920.*

I have your telegram of November 19 stating that several United States governors are invited to the inaugural ceremonies of President-elect Obregón of Mexico and asking whether the State Department advises the trip being made.

The State Department has no advice to give on the question but I call your attention to the obvious fact that the governors are undoubtedly invited because they are governors. In view of the fact that recognition has not yet been accorded to Mexico their attendance would undoubtedly receive the significance in the minds of the Mexicans which their high official station in this country must of necessity suggest. It is a matter for you to consider in these aspects, and one upon which naturally the Department is reluctant to advise, although we clearly perceive the possibility of misconstruction and other regrettable results as the sequel of such a visit.

BAINBRIDGE COLBY

812.00/24701½

The Secretary of State to the Confidential Agent of the Government of Mexico (Pesqueira)

WASHINGTON, *November 25, 1920.*

MY DEAR MR. PESQUEIRA: The conversations which we have had since the receipt of your notable letter of October 26th, I am very pleased to say, have been entirely in keeping with the spirit and tenor of the expressions it contained, and have quite confirmed the agreeable anticipations it aroused.

I think I may say, as one of the results of these discussions, that no doubt can reasonably be entertained of the high and enlightened purposes that actuate the present Government of Mexico, and I am fully persuaded that you realize the friendship and disinterestedness towards your country, which animate this Government.

We have not required the assurances, so unqualifiedly given in your letter, of Mexico's regard for the discharge of her obligations, and of her respect for the principles of international law. Your suggestion of a joint arbitration commission to adjudicate the claims presented by citizens of other countries, for damages sustained as a result of disorders in your country, and the further proposal to enlarge and strengthen existing treaty provisions for the arbitration of all controversies, now pending or which may arise between our respective nationals, bring convincing support to your declarations, if that were needed.

You refer at length to the misunderstanding that has arisen, and which has widely prevailed, as to the true scope and effect of Article 27 of the Mexican Federal Constitution. That such misunderstanding has existed, and has exercised an unfortunate restraint upon the impulses of friendly Governments, in their desire to cooperate with the Mexican people in the recovery of the full measure of their ma-

terial strength and prosperity, cannot be denied. But I can conceive of nothing better calculated to correct this misunderstanding and to allay the fears of those who have acquired valid titles, or who have made substantial investments in conformity with Mexican law, and in reliance upon its protection, than the statements of your letter referring to the declarations of President de la Huerta and President-elect Obregón to the effect that Article 27 " is not and must not be interpreted as retroactive or violative of valid property rights."

The interest of other nations in this subject should not [be], and I am convinced it is not, attributed to any desire to influence or interfere with Mexico in the adoption and pursuit of any policy with regard to its lands and resources, which expresses its aspirations, and satisfies its people. Indeed, I may remark, that there is wide sympathy for the apparent desire of your country to inaugurate a policy which shall protect its great resources against waste, dispersal or other improvident treatment. The freedom to do this, which no one can dispute, nor even criticize, is in no sense compromised by the due respect for legally vested interests, which you so fully avow, with a convincing sincerity, which is beyond question.

It only remains to give these understandings, a form which is usual in dealings between friendly states, and I have the honor to suggest, as our fruitful discussions draw to a close, that commissioners be promptly designated by both Mexico and the United States to formulate a treaty, embodying the agreements, which have been reached as the result of your successful mission.

I am [etc.] BAINBRIDGE COLBY

812.00/24782 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *November 27, 1920—4 p.m.*
[Received 10:40 p.m.]

457. The Foreign Office has informed the chiefs of foreign missions in writing that General Obregón will take the oath of office as constitutionally elected President of the Republic at midnight November 30th in the Chamber of Deputies. The communication states further that there will be a box reserved for the diplomatic corps.

The French Chargé d'Affaires states he has received instructions to attend and I understand that the Belgian and Italian Ministers have decided to attend but not in uniform, the Spanish Minister is awaiting instructions, the Japanese Chargé d'Affaires says he will act in accord with the Embassy.

SUMMERLIN

812.00/24787 : Telegram

The Ambassador in Italy (Johnson) to the Secretary of State

ROME, *November 29, 1920—1 p.m.*
[Received 7:32 p.m.]

457. Officially notified that the Italian Government telegraphed November 24th to their missions in Washington and Mexico stating that it was the Italian Government's intention to recognize officially the Government of General Obregón after the Government of the United States had done so.

JOHNSON

812.00/24788 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *November 29, 1920—4 p.m.*
[Received November 30—12:32 a.m.]

458. The Foreign Office has notified the chiefs of foreign missions that the President of the Republic will receive them 11 o'clock a.m. December 1st. In the absence of instructions I shall not attend. This formal function should not be confused with that mentioned in 457, November 27, 4 p.m.

SUMMERLIN

812.00/24782 : Telegram

The Secretary of State to the Chargé in Mexico (Summerlin)

[Paraphrase]

WASHINGTON, *November 29, 1920—6 p.m.*

246. Your telegram no. 457, November 27. Department advises that Foreign Office be informed in writing that although you are not authorized to be present officially at Obregón inauguration, you will be pleased to attend in private capacity.

COLBY

812.00/24788 : Telegram

The Secretary of State to the Chargé in Mexico (Summerlin)

[Paraphrase]

WASHINGTON, *November 30, 1920—4 p.m.*

Your telegram no. 458, November 29. Your attendance December 1 at formal ceremony is thought unwise.

COLBY

812.00/24806 : Telegram

The Chargé in Mexico (Summerlin) to the Acting Secretary of State

MEXICO, *December 8, 1920—10 a.m.*
[Received December 9—1 : 52 a.m.]

470. A Foreign Office bulletin published in the local press today announces that the Mexican Minister designated to Japan is *persona grata*, and will be received officially and that the Japanese Chargé d'Affaires here has been authorized to renew official relations with the Mexican Government, in view of the fact that the Japanese Government does not consider formal recognition necessary.

SUMMERLIN

812.00/24817

The Chargé in Mexico (Summerlin) to the Acting Secretary of State

No. 3515 MEXICO, *December 9, 1920.*
[Received December 21.]

SIR: With reference to the Department's [*Embassy's*] telegram No. 458, of November 29, 4 P.M., in regard to the official reception at the National Palace on December the first to enable the members of the Diplomatic Corps to felicitate the Constitutionally elected President, I have the honor to report that it appears that, with the exception of the personnel of this Embassy, all the members of the resident Diplomatic Corps attended.

I have [etc.] GEORGE T. SUMMERLIN

812.00/24809 : Telegram

The Chargé in Mexico (Summerlin) to the Acting Secretary of State

MEXICO, *December 11, 1920—12 noon.*
[Received 6 : 30 p.m.]

473. Foreign Office confirms press reports published here today that the Netherlands Government has recognized the Mexican Government.

SUMMERLIN

812.00/24834

The Chargé in Mexico (Summerlin) to the Acting Secretary of State

No. 3552 MEXICO, *December 30, 1920.*
[Received January 11, 1921.]

SIR: With reference to the Associated Press despatch from Paris, published in the local press on December 22nd, in regard to a statement purported to have been made by the French Minister for For-

eign Affairs to the effect that France will not accord recognition to Mexico until the United States is prepared to do so, (see pages 4 and 5, Embassy's despatch No. 3542, of December 24, 1920[35]), I have the honor to report that *El Universal* in its issue of the 29th reported that Mr. Victor Ayguesparsse, the French Chargé d'Affaires here, had received a cable from the French Ministry for Foreign Affairs, denying categorically the above mentioned statement, and adding that the French Foreign Office has made no declaration whatsoever about Mexico.

I have [etc.] GEORGE T. SUMMERLIN

812.00/24833

The Chargé in Mexico (Summerlin) to the Acting Secretary of State

No. 3556 MEXICO, *December 31, 1920.*
[Received January 11, 1921.]

SIR: I have the honor to report that the entire local press of today publishes the autograph letter of President Friedrich Ebert of Germany, which it is stated the Mexican Foreign Office has received, in reply to the letter of Mr. Adolfo de la Huerta, of June 16, last, announcing that he had been elected Substitute President of Mexico. The letter, in translation, follows:

"Legation of the United Mexican States in Germany.
"Friedrich Ebert, President of the German Government,
to His Excellency the President of the United States
of Mexico, Mr. Adolfo de la Huerta.

"Mr. President:

"Your Excellency has been good enough to inform me, in your letter of the sixteenth of June of this year, that the Congress of the Union, in accordance with the political Constitution of the United States of Mexico, declared you elected President of the Republic and that you had taken possession of your high office.

"I must thank Your Excellency for your friendly communication and extend to you my most sincere congratulations that you have taken charge of the highest magistracy of the United States of Mexico.

"You may be sure, Mr. President, that I also will always endeavor to conserve and make more binding the friendly relations which happily exist between the German Government and the United States of Mexico.

"With the most fervent wishes for your personal wellbeing, as well as for the prosperity of the United States of Mexico, I beg Your Excellency to accept the assurances of my most complete consideration and friendship.

"Berlin, November 23, 1920. (Signed) Ebert.
(Signed) Simons."]

I have [etc.] GEORGE T. SUMMERLIN

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[35] Not printed.

PROTECTION OF AMERICAN OIL INTERESTS [36]

Mexican Executive Decree of January 17, 1920, Enabling Oil Companies to Acquire Provisional Drilling Permits—Decree of March 12 and Circular of April 21, Governing Oil Development in the Federal Zones—Continued Acceptance by the Mexican Authorities of Denouncements Made by Third Parties upon the Properties of American Companies—Informal Representations by the United States

812.6363/636

The Chargé in Mexico (Summerlin) to the Secretary of State

No. 2793 MEXICO, *January 21, 1920.*
[Received January 29.]

SIR: I have the honor to enclose, herewith, copies of two cablegrams furnished to me by Mr. H. Cunard Cummins, of the British Legation in this city, which, according to Mr. Cummins' statement, refer to the efforts of the Aguila Oil Company—acting as intermediary with the Mexican Government under instructions from its head office in London,—to secure some arrangement with that Government under which certain American oil companies may receive provisional permits for drilling operations in Mexico.

In the first of these (Enclosure No. 1), Rodolfo Montes, a Mexican employee of the Aguila Company, informs Mr. T. J. Ryder of that Company, in New York, that he has interviewed President Carranza on the subject, and has reason to believe that provisional drilling permits will be issued the American companies, valid until the Mexican Congress enacts the organic petroleum law, if the companies will make their requests direct to Mr. Carranza, it being understood that such requests will not imply the acceptance of decrees now in force, which, in the opinion of the companies, violate legitimate rights previously acquired by them.

The second telegram (Enclosure No. 2), is Mr. Ryder's answer, quoting a joint telegram sent to President Carranza by a number of companies, in which they state that they are willing to accept provisional permits, valid until Congress enacts the relative Organic Law, on certain conditions which they specifically define.

Excelsior refers to this proposal in its issue of to-day, and states, under eight column headlines, that the American Association of Petroleum Producers in Mexico, which has always disregarded the Mexican Government to the extent of not having addressed to it a single communication, has at last given in, and has spontaneously agreed to observe all laws and orders provisionally given in the matter of petroleum. The article adds that Mexico has won a vic-

[36] Continued from *Foreign Relations*, 1919, vol. II, pp. 591–613.

tory in the defense of her laws and has recovered her place as a free and sovereign country.

In connection with this subject, I have the honor to report that recently a local representative of an American oil company stated to me that the Mexican officials immediately in charge of petroleum questions in the Department of Commerce and Industry, are indicating a willingness to make certain concessions to the petroleum companies, such as full recognition, for a period of thirty years, of vested rights acquired prior to May 1, 1917, with the right to exploit without hindrance properties so acquired, but that the principle of nationalization of sub-soil rights is to remain unchanged.

I have [etc.] GEORGE T. SUMMERLIN

[Enclosure 1—Telegram]

Señor Rodolfo Montes to Mr. T. J. Ryder

MEXICO, *January 3, 1920.*

1. I interviewed President Carranza offering my disinterested services to his Government and American petroleum industry with object that difficulties which cause present paralyzation may cease.

2. President received my offer favorably. He showed himself absolutely firm, however, regarding obedience to constitutional laws of country and respect to national dignity and sovereignty but willing to proceed with equity and justice.

3. Have reason to believe that provisional permits for drilling, valid only until Congress enacts organic law, will be conceded if interested parties cable direct to Sr. Carranza asking for said permits in order to avoid serious injury to Mexican petroleum industry and foreign capital invested, without these requests implying the acceptance of the decrees at present in force which in opinion of interested parties violate legitimate rights previously acquired. When organic law is given out interested parties will be obliged to subject themselves to its precepts in order to continue enjoying permits given.

4. Sr. Carranza is deeply interested in preventing injury to Mexican petroleum industry because of paralyzation of drilling and the entrance of salt water into the principal deposits which will consequently require new drillings in order to maintain production and exportation.

5. I consider diplomatic pressure by foreign governments inopportune.

6. If interested parties accept arrange for them cable in terms indicated above. Would suggest they also communicate their petition telegraphically to Ministries of Industry and Finance.

7. Kindly cable me fully result of negotiations you may undertake remitting to me the petition also in event that it should be presented.

RODOLFO MONTES

[Enclosure 2—Telegram]

Mr. T. J. Ryder to Señor Rodolfo Montes

NEW YORK, *January 14, 1920.*

Four. Wednesday. Following cable was sent to President Carranza yesterday afternoon. Begins: The undersigned companies submit directly to the consideration of Your Excellency the very grave situation which has arisen in the oil fields of Mexico with the hope of obtaining a just and equitable decision. During recent months a constant inflow of salt water has taken place especially in the region known as "Tepetate" many wells have ceased to produce oil others are rapidly giving out and still others will be lost within a short time. There still remain some wells undamaged but there is a lack of pipeline for the adequate transport of their production. As a result of what has occurred Mexican industry, in which large foreign capital has been invested which is of great importance to the Government and the Mexican people, is confronting a crisis and is on the point of suffering an enormous loss which can be avoided without harming the rights of any of the parties. These Companies foresaw this calamity several months ago and commenced new drillings of wells but were not able to obtain from the Government over which Your Excellency presides, permits which in their judgment were acceptable. The permits offered were not acceptable firstly because they would have obliged the companies to submit to more drastic regulations than is customary, secondly because they would have deprived the companies of essential rights exercised in good faith, and especially because thirdly they would have obliged the companies to comply with a law which will be enacted later and the precepts of which cannot be previously known by the companies. The companies are willing to observe all kinds of legal dispositions as long as this does not imply their acceptance of anything which in their judgment violates their previously acquired legal rights: they are willing to accept provisional permits, valid until Congress issues the relative Organic Law if the acceptance or use of said permits does not affect or prejudice their rights and they will not by this act attempt to acquire any new right nor expect that the Government of Mexico on account of having issued said permits abandon any right or principle they may wish to sustain. In view of the above, and without implying that they accept the regulations in force which

in their opinion violate their previously and legally acquired rights, they respectfully beg Your Excellency to rescind the instructions which suspend the drilling of wells and to grant the provisional permits which have been solicited, including completed and uncompleted wells, as well as the permits solicited in future under similar circumstances, it being understood that the permits so requested will be valid only until Congress issues the relative Organic Law, and that the interested parties must then comply with the terms of that law or cease to enjoy such permits without suffering other harm by so doing. Ends.

Secondly: Signers comprise all Members Association including Penn-Mex Fuel Company except us of course.

Thirdly: While we were not consulted nor our participation invited in draft above message, we sincerely hope the President's decision will be favorable for the far-reaching good effect it will produce.

Fourthly: Kindly cable me any important developments.

[No signature indicated]

812.6363/629

The Association of Mexican Producers to the Secretary of State

NEW YORK, *January 23, 1920.*
[Received January 24.]

SIR: In the absence from the city of Mr. F. N. Watriss, the authorized representative of the Association of Mexican Producers, I beg to transmit to the Department copies of a telegram from President Carranza of Mexico, dated January 20th, 1920, and of the Association's reply thereto, dated January 22, 1920, both in Spanish and in English.

The Department will understand that the telegram from Mr. Carranza is in response to the Association's telegram of January 14th, copy of which has been previously transmitted to the Department.[36] It will further be appreciated that what was asked and what is apparently to be accorded is temporary relief only, and that the basic question of the recognition of American rights and titles remains unsolved.

Yours very truly,

ASSOCIATION OF MEXICAN PRODUCERS
By C. O. SWAIN, *Vice-Chairman*

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[36] See *supra*.

[Enclosure 1—Telegram—Translation [87]]

President Carranza to the Association of Mexican Producers

MEXICO, *January 20, 1920.*

Under date of the 17th of this month I gave to the Secretary of Industry, Commerce, and Labor the following resolution, which I repeat to you in answer to your cable of the 14th.

The petroleum companies having manifested in an express manner that they are disposed to comply with all of the legal requirements provided they do not imply the violation of their rights previously acquired;

Having manifested equally that they are disposed to accept provisional permits for drilling wells valid until the Congress of the Union issues the organic law of the 27th Constitutional article, providing that the acceptance or use of said permits does not attack or prejudice the rights of the petroleum companies;

Having manifested equally that they will not claim from the fact of receiving the said permits to acquire any new right, nor that the Mexican Government by the issuing of said permits abandons any right or principle that it might wish to defend;

The President of the Republic has seen fit to decide that provisional permits shall be conceded to the oil companies that may petition for the drilling of wells upon the following bases:

The permits will be valid only until the Congress of the Union issues the organic law of the Constitutional article 27. The permits that may be granted in the premises may cover all the wells that have been commenced or drilled since the 1st of May, 1917; also all the wells that may have been finished, as well as those that now may be in the process of drilling.

The respective petitions for permits to drill, which the petroleum companies may present, must contain the statement that the permits will not mean the acquisition of any new right nor the claim that the Mexican Government by the fact of issuing said permits abandons any right or legal principle which it may wish to sustain.

The petitions will also contain an agreement that the permits requested will be valid only until the Congress of the Union enacts the organic law of the Constitutional article 27 relating to petroleum, when the interested parties must comply with the provisions of said law or in the contrary case the provisional permits will lapse. It is understood not to have prejudiced in any manner or in any sense the different questions that are now being discussed before the judicial power of the federation in the *amparo* suits, or the discussion before the federal tribunals or the ordinary courts relating to the application of article 27 and of the different legal decrees on the subject of petroleum issued by the executive power. Nor will the discussion of the petroleum law now pending before Congress be prejudiced in any way.

Respectfully,

VENUSTIANO CARRANZA

[87] File translation revised.

[Enclosure 2—Telegram—Translation]

The Association of Mexican Producers to President Carranza

[New York,] *January 21* [*22*], *1920.*

The petroleum producers have received your Excellency's telegram dated January 20th and are appreciative of your prompt action in granting them the temporary relief requested (stop) They will accordingly instruct their representatives to proceed at once to petition for permits along the lines indicated in your telegram.

(Signed by the forty-six companies who signed telegram to Carranza dated Jan. 14, 1920).

812.6363/653 : Telegram

The Chargé in Mexico (Summerlin) to the Acting Secretary of State

Mexico, *March 20, 1920—4 p.m.*

[Received March 21—4:08 a.m.]

79. Local press to-day published presidential decree signed 12th instant authorizing granting of 10 year concessions for developing oil lands on Mexican national territory, such as federal zones, banks and beds of rivers, streams, lakes and lagoons to Mexicans or companies organized under Mexican laws. Concessionaires to pay 100 pesos annual rental per kilometer or fraction of federal zone granted and a production tax of 5 per cent of 1st one thousand cubic meters of daily production, 10 per cent of 2d thousand, 15 per cent of 3d and 4th thousands and 20 percent of all over 5,000. If a concessionaire does not extract in any month 50 per cent of producing capacity of wells the Government may take the full tax based on producing capacity which is to be measured monthly by Government inspectors.

The decree reaffirms the *dominium directum* of the Mexican Nation over the subsoil and its products.

Summerlin

812.6363/667

The Chargé in Mexico (Hanna) to the Secretary of State

No. 3062 Mexico, *April 20, 1920.*

[Received April 29.]

Sir: With reference to the Embassy's telegram No. 79, dated March 20, 4 P.M., summarizing a presidential decree authorizing the granting of concessions for developing oil lands on Mexican national territory, such as federal zones, banks and beds of rivers, streams, lakes and lagoons, I have the honor to enclose, herewith,

copy of the decree in reference as published in *Diario Oficial* of March 19, 1920, together with a translation of the same. It has not been practicable to furnish the Department with this translation at an earlier date but a translation was forwarded to the Department by the Consulate General in this city with its despatch No. 2010, of March 24, 1920.[38]

I have [etc.] MATTHEW E. HANNA

[Enclosure—Translation [39]]

Executive Decree of March 12, 1920, Establishing Regulations for the Granting of Petroleum Concessions on National Territory

CONSIDERING:

1. That according to the postulates of article 27 of the Political Constitution in force, the *dominium directum* over petroleum and other hydrocarbons, solid, liquid, or gaseous, which may be found on the surface or in the subsoil of the national territory, vests in the Nation;

2. That in the federal zones, beaches and bottoms of seas, rivers, creeks, lagoons, estuaries, and marshes, the Nation has *dominium directum* over the surface as well as over the subsoil;

3. That the regions now recognized as oil-bearing are crossed by numerous rivers, creeks, estuaries, lakes, and marshes under federal jurisdiction, the petroleum exploitation of which, when granted to individuals or to companies organized under Mexican law, is capable of producing large revenues for the National Treasury from rents and a just and equitable participation as stipulated in the concession;

4. That such petroleum regions are under intense exploitation, to such an extent that the rapid exhaustion of their oil deposits is certain, as is occurring in the region known as "Chinampa", without yielding to the Nation the just returns which would have belonged to it, had there been permitted the drilling of wells in the federal zones of rivers, creeks, estuaries, etc., under federal jurisdiction which cross the same in all directions;

5. That, moreover, according to paragraph 6 of article 27 of the Political Constitution in force, the Federal Government is empowered to grant concessions covering deposits of petroleum and other hydrocarbons, solid, liquid, or gaseous, provided that regular work for the exploitation thereof is conducted; and

6. That petitions which have been presented for drilling in the federal zones of rivers, creeks, etc., in the region now recognized

[38] Not printed.
[39] File translation revised.

as petroleum-bearing, are already very numerous, and that it is deemed necessary that such petitions should receive consideration in behalf of the interests of the Public Treasury as well as of the petitioners;

THEREFORE, the Department of Industry, Commerce, and Labor is authorized to grant such concessions in the name of the Executive, subject provisionally, and until such time as the Congress of the Union shall enact the petroleum law, to the following

General regulations which shall govern concessions which this Department of Industry, Commerce, and Labor shall grant for the exploitation of petroleum and other hydrocarbons which may exist in the subsoil of the federal zones, beaches and bottoms of rivers, creeks, lagoons, estuaries, etc., of the national territory:

I. Concessions for the exploitation of petroleum and other hydrocarbons in the federal zones, beaches and bottoms of rivers, creeks, estuaries, lagoons, etc., may be granted only to Mexicans by birth or naturalization or to companies organized under Mexican law.

II. The foregoing requirement being fulfilled, the following order of preference shall apply in obtaining these concessions:

1. Those legally authorized to exploit the petroleum claims bordering on the federal zones.

2. The owners of the adjoining land, when concession for the exploitation of the subsoil of such lands has not been granted.

3. The exploiters or owners of lands located less than two kilometers from the federal zone, who can show that they possess an area sufficient to establish the storage tanks and other installations necessary for the exploitation of the subsoil in the portion of federal zone granted to them.

III. The duration of concessions shall be 10 years.

IV. The petitions for obtaining these concessions shall be published and handled in the same manner as that established for the denouncement of petroleum lands.

V. As regards concessions requested by companies or individuals who do not possess the right of preference under the foregoing articles, the maximum length of federal zone to be granted to them for exploitation shall not exceed 10 kilometers.

VI. Federal-zone strips respecting which there may exist some contract, concession, or legitimate permission for the temporary occupation thereof, shall not be granted for exploitation.

VII. Concessionaires shall present within a period of six months from the date of the concession a plan of the zone granted in accordance with the limits fixed in the concession.

VIII. The concessionaires shall drill, within five years from the date of their concession, at least one well for each two kilometers, or fraction of over one kilometer of zone granted. The first of these wells shall be completed within the first year of the life of the concession.

The obligation of the concessionaires, in respect to each of the wells mentioned, shall be discharged with the completion of one productive well, or with the drilling of one well to the mean depth of the productive wells in the immediate vicinity.

IX. The location of wells and of the installations needed for the drilling thereof, shall be subject to the approval of the Department of Industry, Commerce, and Labor. All installations shall be temporary in character, and they shall be removed as soon as possible without injury to the progress of the work.

X. Concessionaires shall pay—

1. An annual rental of 100 pesos per kilometer, or fraction thereof, of federal zone granted;

2. A share in the daily production of petroleum taken from the wells drilled in the zone granted, which shall vary as follows:

For the first 1,000 cubic meters or less of daily production	5%
Over 1,000 and up to 2,000 cubic meters	10%
Over 2,000 and up to 5,000 cubic meters	15%
Over 5,000 cubic meters	20%

To determine the share corresponding to each month, an estimate will be computed of the average daily production during that month.

XI. The Government is entitled to exact its share either in cash or in kind. For the payment in cash, the petroleum shall be valued at the place of production.

If the Government desires to receive its share in kind, the concessionaires shall be obliged only to hold it in storage in their tanks for 15 days following the day of the settlement.

XII. Should the concessionaires not extract during a given month an amount of petroleum equivalent to 50% of the producing capacity of their wells, the Government may extract for its account the share to which it is entitled, based on the said producing capacity.

XIII. For the foregoing purpose, the Government inspectors shall measure each month, in the presence of employees of the concessionaires, the producing capacity of the wells.

XIV. The concessionaires shall guarantee the fulfillment of their obligations by means of a deposit of 1,000 pesos for each kilometer or fraction over 500 meters, of federal zone granted. This deposit

shall be returned to them when the first productive well is brought in, which shall serve, as well as all others which may thereafter be drilled, as a guaranty for the fulfillment of their obligations.

XV. The time limits stipulated in the concession shall be suspended in case of accident or of *force majeure*, which may directly and absolutely impede compliance with the obligations stipulated; and the Department of Industry, Commerce, and Labor may in such case extend such periods for the time it may consider necessary.

In order that concessionaires may avail themselves of this grace, they shall present evidence to the said Department, with necessary proofs, respecting the accident or the *force majeure* which may have prevented or prevents compliance with their obligations. Notice and proofs to the Department regarding the case of *force majeure* shall be presented within one month from the date of such accident.

XVI. Concessionaires shall be entitled to establish pipe lines to carry the petroleum from the wells to storage stations, as well as to establish, along the waterways comprising the zone granted, the necessary wharves for the exploitation, under such conditions as may be established by the Departments of Communications and Public Works, of Hacienda and Public Credit, and of War and Marine.

XVII. The Department of Industry, Commerce, and Labor, through its inspectors, may examine the books relating to the exploitation of the wells covered by these concessions whenever it may deem expedient.

XVIII. In case an imperious public necessity demands, the concessionaires obligate themselves to sell to the Federal Government the production of their wells at a price to be fixed in the manner stipulated in article XI.

XIX. In respect to all that is not specially provided for in these regulations, concessionaires shall be subject to all the laws, regulations, and administrative rulings governing the petroleum industry.

XX. Concessionaires shall carry on the exploitation of the federal zones, without prejudice to the navigation and common use to which they may be destined. They shall be obligated to pay indemnification for injuries occasioned, under the federal laws governing the matter.

XXI. In no case may concessionaires mortgage, transfer, or in any manner make over the concessions, or any of the rights and privileges therein contained, to any foreign company, government, or state, nor admit them as partners, any transaction of this nature which may be made being null and void. Neither may they transfer the concessions to any individual or corporation, without the previous consent, in writing, of the Department of Industry, Com-

merce, and Labor, this being a permanent obligation for all the companies which might later acquire the rights granted by the concessions.

XXII. Concessionaires shall have the preferred right, upon the termination of the life of their concession, to renew the same for the time and under the conditions which the Federal Executive may deem expedient.

XXIII. The Department of Industry, Commerce, and Labor shall punish the offenses of concessionaires which do not merit the annulment of their concessions, with fines varying between 100 and 1,000 pesos, according to the gravity and frequency of the offenses.

XXIV. The Department of Industry, Commerce, and Labor may administratively declare the annulment of the concessions for any of the following reasons:

1. Because at the expiration of the life of a concession the same is not renewed;
2. Because concessionaires do not make the payments prescribed in article X of these regulations;
3. Because they do not drill within the periods and under the conditions stated in article VIII;
4. Because they ask protection from a foreign government, transfer the concession to it, or admit it as a partner. In any of these cases, the concessionaires shall lose to the Nation all their installations;
5. Because, in the exploitation of the zone granted, they defraud in any manner the fiscal interests.

In case of annulment, concessionaires shall lose the guaranty deposit, in case it shall not have been returned, as well as the wells being drilled and those that are productive, which they shall deliver to the Government for immediate utilization.

The Department of Industry, Commerce, and Labor, before making the declaration of annulment, shall give to the interested parties a period of not less than 60 days for their defense.

XXV. The stamps to be affixed to the concessions shall be paid for by the concessionaires.

Constitución y Reformas.

Mexico, March 12, 1920.

V. CARRANZA

812.6363/679

The Chargé in Mexico (Summerlin) to the Secretary of State

No. 3129

MEXICO, *May 4, 1920.*

[Received May 25.]

SIR: I have the honor to send enclosed, translation of a circular dated April 21, 1920, issued by the Mexican Department of Indus-

try, Commerce and Labor, embodying regulations for the exploitation of petroleum and other hydrocarbons existing in the federal zones of Mexico.

This translation was made from an article which appeared in *El Universal* of April 30, 1920.

I have [etc.] GEORGE T. SUMMERLIN

[Enclosure—Translation [41]]

Circular No. 10 of the Mexican Department of Industry, Commerce, and Labor, April 21, 1920, Establishing Regulations for the Execution of the Executive Decree of March 12, 1920 [42]

For the purpose of fulfilling the provisions of article IV of the decree of the President of the Republic dated the twelfth of March of the current year, which fixes the general bases which shall regulate the concessions which may be granted for the exploitation of petroleum and other hydrocarbons existing in the subsoil of federal zones, etc., of the national territory, this Department has seen fit to issue the following regulatory articles:

I. For the purposes of the present regulations there is understood by exploitation of the subsoil the extraction and collection of the following substances:

(*a*) Petroleum which may be found in beds, pools, and natural deposits;

(*b*) Gaseous hydrocarbons which may be found in the subsoil or which may escape to the surface of the ground;

(*c*) Natural deposits of ozocerite and asphalt;

(*d*) All mixtures of hydrocarbons of the different groups which owe their origin to natural agents.

II. Concessions cannot be granted to exploit any portion of the lands under consideration to which there may apply any exclusive concession in force which was issued previously or any concession the settlement of which is pending.

III. Every petition shall refer exactly to a portion of land having a continuous surface. In cases of rivers or creeks, the concession which may be granted shall give the right to exploit the zone situated on a single one of the banks and the corresponding half of the bed.

IV. The petitioner for a concession shall present in triplicate to the proper agency of the Department of Industry, Commerce, and Labor in petroleum matters a written petition in which he states his name, age, profession, place of residence, and nationality as well

[41] File translation revised.

[42] For the Executive decree of Mar. 12, 1920, see *supra*.

as the location, extent, boundaries, and all other distinguishing marks which may serve to identify the zone the exploitation of the subsoil of which is requested.

V. If the petitioner should be a foreigner or foreign company, the petition shall be received and continue its regular course, but the concession shall only be granted to a Mexican by birth or naturalization or to a company, organized in conformity with the laws of the country, to which the petitioner may cede his rights within a period of three months from the date which the Department of Industry sets for this purpose.

VI. The petitioner shall present, together with his petition, a certified statement of the Main Tax Office having jurisdiction in which it is stated that he deposited the value of a year's rent in accord with article X, section 1, of the relative regulations.[43]

VII. The agent of the Petroleum Division shall receive the petition and record it in his register and shall note on the original and on the copies of the petition the date and the hour of presentation. The petitioner may require that these notations be made in his presence. If, in the opinion of the agent, the petition should not be sufficiently clear or data should be lacking, he shall ask the one presenting it for the necessary explanations and shall set these down on the original and on the copies and in the registry book. The lack of explanations shall not be a reason for failing to register the petition. The duplicate, with the proper notations, shall be returned to the person who presented it.

VIII. Within three days after the presentation of a petition and in view of the explanations, in case it has been necessary to make them, the agent shall determine whether or not it is to be accepted. In the affirmative case, he shall proceed to make out the papers; and in the negative, he shall set down in writing the reason for his determination, which shall be subject to revision by the Department of Industry, Commerce, and Labor upon the request of the petitioner presented to the same agent when advised that his petition is not accepted or within three days thereafter.

IX. When two or more petitions referring to the same land shall have been simultaneously declared acceptable, that one shall take its course which is designated by lot, unless the preference should be decided by agreement between the parties interested.

X. When several petitions are presented simultaneously for different tracts, all of which, however, contain a part in common, a drawing shall be held in which all the petitions presented play a part. If the petition favored by lot includes the other petitions presented, these other ones, which have entered into the drawing, shall be

[43] For regulations, see the Executive decree of Mar. 12, p. 206.

definitely excluded by that single fact alone; but if the petition favored includes only a part of the land denounced, the remaining part shall be subjected to a new drawing of all the petitioners except the one favored in the first drawing; and if after the second drawing some part of the land should still remain in dispute, another drawing or other drawings, if it should be necessary, shall be held in accordance with the same procedure. These shall take place at intervals of three working days so that the petitioners may be present at each one of them with their petitions duly inspected. Those who do not attend the drawing to which they are summoned shall lose on this account their rights to the advantage secured from participation in the first drawing.

XI. Once the agent accepts a petition, he shall publish it on his bulletin board for a month and shall order it to be inserted three times, within the same period, in the *Diario Oficial* and in two other newspapers chosen from among those having the largest circulation in the locality. The interested party shall be responsible on his own account for these inserts.

XII. Causes for objection which may suspend action on a petition to exploit the lands under consideration are:

(*a*) The total or partial invasion of a piece of land which has been granted previously to another person for its exclusive exploitation and the concession to which has not been canceled;

(*b*) A petition pending settlement which was presented previously, in accord with the law, for a concession to a part or the whole of the same land solicited;

(*c*) The holding of preferential rights to the portion of land solicited or part of it as established in the relative regulations.

XIII. An objection based upon any of the causes established by the foregoing article shall be made before the proper petroleum agency within a period of 60 days reckoned from the date on which the petition is published on the bulletin board of the agency.

XIV. The objector shall present, together with his objection, a certified statement from the Main Tax Office concerned in which it is stated that he has deposited a year's rent for the tract of land in question in accord with article X, section 1, of the relative regulations. Without the presentation of this certified statement the objection shall not be entered.

XV. In case objection is made, the parties shall be summoned to a conference for the purpose of bringing about an agreement; in case an agreement is not effected, the agency shall inquire through the speediest channels whether this Department, acting in an administrative capacity, should definitely settle this matter or whether the judicial authorities are the ones who should do so, without detriment, in either case, to the rights of the one making the objection.

XVI. If the judicial authorities are the ones who should settle the question of the objection, proceedings in the case shall be suspended and the papers shall be sent, within 48 hours, to said authorities so that they may render the proper decision. The objector may only base his objection on the causes which he shall have alleged and which are expressly stated in the administrative papers just as they were transmitted to the judicial authorities.

XVII. If the administrative authorities are the ones who should decide the question of the objection, the proceedings in the case shall be continued to the end that in due time the Department of Industry, Commerce, and Labor may definitely decide upon the objection after hearing the petitioner and the one objecting to the granting of his petition.

XVIII. Any cause for objection different from those expressed in article XII should be alleged before the agency but the agency shall not suspend proceedings. When the papers pass to the Department of Industry, Commerce, and Labor for its examination, this Department shall decide whether that cause for objection should or should not be taken into consideration. In the affirmative case, the objection shall be thoroughly examined and shall be settled by observing, in so far as advisable and practicable, the stipulations of articles XIV–XVII. If the Department does not take that objection into account, it shall proceed as though this had never been made and shall respect the rights of the objector.

XIX. The Department of Industry, Commerce, and Labor may, during the examination of the papers, take into consideration objections which may be presented to it, provided the objector gives proofs that he has not taken up with the petroleum agency causes for objection which do not fall under its jurisdiction.

XX. The following persons shall be declared negligent: the petitioner for a concession who does not publish the inserts mentioned in article XI within the period of time set; the person who does not make the explanations requested of him to the end that his petition follow its regular course within the time fixed for it to do so; the person who does not attend the conference on arbitration when objection is made to the same petition: and the person who, once the examination of the papers is finished in the Petroleum Bureau, does not make the deposit mentioned in article XXVIII within the period of three months fixed for this purpose. The petitioner who has been declared negligent shall lose the rent which he shall have deposited in accordance with the provisions of article VI; but he may, if he so desires, present a new petition relative to the same concession provided he makes a new deposit and with the understanding that no preference is to be shown him with respect to any other petitioner

who may present himself. The course followed by the second petition shall begin in accordance with the present prescriptions.

XXI. The objector who does not attend the conferences of arbitration shall be considered as having ceased his objections except in the case of *force majeure.*

XXII. The person who has ceased in his objections or whose objections prove unfounded shall lose the deposit fixed by article XIV, and this shall be applied to the payment of a year's rent for the zone in question, counted from the date of the petition. In case the petitioner ceases in his action, he shall likewise lose the deposit which he shall have made.

XXIII. By the sole fact of objecting to a petition presented, the objector, in case he obtains the final decision in his favor, compromises himself to ask for the concession to exploit the land referred to in his objection. If the objector does not fulfill this obligation within the space of a month which shall be granted him from the time the objection has been decided in his favor, he shall lose *ipso facto* all his preferential rights to the land in question besides the deposit which he shall have made in accordance with the provisions of article XIV.

XXIV. In case a petitioner does not secure the final decision in his favor, on account of some objection made to his petition, the deposit which he shall have made in accord with article VI shall be returned to him.

XXV. The Department of Industry, Commerce, and Labor may pardon the offenses of the negligent petitioner whenever he gives proofs, within the time in which his petition is being acted upon and the papers examined, that his offenses were due to accident or *force majeure.*

XXVI. In case the period of 60 days elapses without any objection having been presented which might give occasion to the suspension of administrative proceedings, the petroleum agent shall transmit to the Department of Industry, Commerce, and Labor a copy of the papers, in the condition in which they are found.

XXVII. Concessions shall be issued through the Department of Industry, Commerce, and Labor after the Petroleum Bureau has examined the papers of the agency. These concessions confer the right to exploit the respective zones without any other formalities.

XXVIII. Before a concession may be granted, the petitioner shall prove to the Department of Industry that he has made the deposit in the General Treasury of the Nation referred to in article XIV of the relative regulations.

XXIX. Outside of the cases provided for in article V, concessions shall be granted, without detriment to a third party, in favor of the

one making the denouncement. In order that these may be granted in favor of a different party, it shall be necessary to prove by means of a public document the transfer of the privileges of the petitioner in favor of this party.

XXX. The concessionaire may extract from the respective zone all the substances referred to in article I, the only limitations being that he must not invade the adjacent lands with his excavation works and that he must fulfill all the regulations in force in this regard.

XXXI. The concessionaire may make use of the surface waters for the necessities of exploitation in accordance with the ordinary laws on this subject. He may also use the subsoil waters to the same end after he has secured the authorization of the Department of Industry, Commerce, and Labor and has paid the proper indemnification to the one who may be entitled to it.

XXXII. Rent shall begin with the date of the petition and shall be paid yearly in advance. By the sole fact that he fails to pay any year's rent during the month following the date on which it falls due, the concessionaire shall incur the penalty indicated in article XXIV, section 2, of the established regulations.

XXXIII. Each concessionaire is obliged to furnish the Department of Industry, Commerce, and Labor with the technical and economic data which it may request through the Petroleum Bureau, and to give admittance and all manner of facilities to the students of the official schools who wish to make a practical study of the petroleum industry.

XXXIV. If the land referred to in a concession canceled in accordance with the provisions of article XXIV of the established regulations should be in the process of exploitation by a third person by means of a contract in force, and if, besides, one of the persons having preferential rights, according to those regulations, to secure the concession makes use of them and is consequently granted the concession, said contract shall hold, and the new concessionaire shall take the place of the old for the purposes of this same contract. In the contrary case, the exploiter has the aforementioned preferential rights over a third person.

XXXV. All land, concessions to which have been canceled, may be again solicited for exploitation in accordance with the present prescriptions.

XXXVI. No documents shall be accepted which are based on any concession granted prior to the date of the regulations to which this regulation refers and in which information is given or authorization is asked for the drilling of wells or the making of installations in connection with the exploitation of lands with respect to

which there has been granted or there is in process of being granted any concession protected by these same regulations.

XXXVII. In exploiting the subsoil of a piece of land in conformance to any concession granted in accord with the regulations mentioned, the protected zone, which, within the tract granted, legally belongs to each one of the wells located on this same land and protected by concessions previous to the date of the regulations referred to, shall be respected.

The foregoing is brought to the knowledge of the interested parties for the proper ends.

Constitución y Reformas.

Mexico, April 21, 1920.

José Vázquez Schiaffino
The Chief Clerk in Charge of the Office

812.6363/707

The Association of Producers of Petroleum in Mexico to the Secretary of State

New York, *August 3, 1920.*
[Received August 7.]

Sir: The publication on July 10th, 1920, in the *Diario Oficial* of Mexico City, of "Circular No. 10, prescribing the conditions under which concessions for the development of petroleum and other hydrocarbons will be granted" [44] makes it necessary for the Association of Producers of Petroleum in Mexico to call to your attention a grave infraction by the Mexican Government of American rights in oil lands in that country.

By the law of Mexico as in the United States, the owner of lands adjoining or surrounding streams owns to the center of the stream. This ownership has always been subject to an easement enjoyed by the public on the edge of the stream known as "Camino de Sirga" or, literally, tow-path. By Mexican law of 1902, entitled "Law regulating National Lands and lands of public use", this tow-path or public easement was defined as being twenty meters in width alongside streams to the high tide mark and from high tide mark as far as the rivers may be navigated by rafts, ten meters in width. This public easement was given the name of the "Federal Zone".

This law did not change property rights—the land owner was and is proprietor of land to the center of the stream but subject to an easement of public use.

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[44] See *supra*.

In 1906 concessions were granted in five states to Pearson & Son, Limited, giving that corporation the right to drill on all public and Federal lands in these states. This concession was passed to the Aguila Company. It was recognized that the Federal Zones were not the property of the Government but of the private owners of adjoining lands, for they were not included in the Federal lands granted by said concessions, which were all subsequently approved by the Mexican Federal Congress.

During the incumbency of President Madero, a concession was granted to two Mexican Government favorites, giving them the right to drill on Federal Zones. The concession was transferred to the Compañia Maritima de Petroleo. Certain American stockholders have drawn out of the Company convinced that the concession is valueless because the lands it covers are not the property of the Nation and that its operations infringe the property rights of American oil companies whose lands adjoin rivers.

American companies in Mexico, members of this Association, have acquired by purchase and lease under Mexican laws, lands for the purpose of oil drilling adjacent to navigable streams. Their legal rights entitle them to drill in the lands or in the Federal Zones if the public right of way is not disturbed by drilling operations. By reason of the Carranza decree of March 12th, 1920,[45] and the decree of July 10th, herein referred to and translation of which is hereto annexed,[46] they find themselves despoiled of their drilling rights and subject to the extraction of oil from the deposits to which they are legally entitled by third parties operating in the Federal Zones under concessions provided for in said decrees. Nearly all oil properties in Mexico are crossed by streams or creek beds which, at certain times of the year, carry water and may be claimed to be navigable by rafts for a few months in the year.

Concessions have been issued to third parties to drill in such locations. A continuation of this practice exposes all American companies to invasion of their legally acquired lands and to diminution of their oil production by concessions under the decree in question.

The American members of the Association of Producers of Petroleum in Mexico respectfully call your attention to this additional attempt at confiscation of their legally acquired properties in Mexico and ask that steps, consistent with the policy of the American Government toward the present unrecognized government of Mexico,

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[45] *Ante*, p. 206.

[46] Refers to Circular No. 10 of Apr. 21, Spanish text of which was published in the *Diario Oficial* of July 10; a translation from *El Universal* is printed *supra*.

be taken to end the invasion of their property rights and the confiscation of their properties by the decrees of March 12th and July 10th, 1920.

We have [etc.]

THE ASSOCIATION OF PRODUCERS OF PETROLEUM IN MEXICO
By C. O. SWAIN,
Chairman of Executive Committee

312.115 H 861/71 : Telegram

The Secretary of State to the Chargé in Mexico (Summerlin)

WASHINGTON, *August 13, 1920—4 p.m.*

203. Reference Department's No. 2228, October 1, 4 p.m.,[47] respecting issuance of drilling permits to American petroleum companies and denouncements accepted by Mexican authorities as filed by third persons on properties owned or leased by such companies.

Department informed that since date mentioned many more such denouncements have been accepted by Mexican authorities including some of very recent dates, and that upon lands covered by such denouncements American companies are forbidden to conduct drilling operations. An instance in point is reported to be the refusal to permit the Tamiahua Petroleum Company to drill for oil in the lands of the Hacienda of Zapotal Solis, all of which lands are said to have been leased to Company by contract still in force, and some to have been bought by Company since execution of lease.

Bearing in mind Department's previous instructions relative to your communication with persons now exercising authority in Mexico, you will informally bring reported condition to attention appropriate person, referring specifically in connection therewith to representation made pursuant Department's said telegram of October 1, 1919, and other previous representations against the threatened confiscation of American owned property through the medium of denouncements filed by third persons against such property, and you will point out that refusal of drilling permits under circumstances mentioned constitutes a deprivation of rights to which American concerns are entitled under deeds and leases held by them and applicable laws of Mexico at the time when such deeds and leases were acquired.

You will therefore state that the interested American companies should not be made to suffer loss or inconvenience because of the

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[47] *Foreign Relations*, 1919, vol. II, p. 610.

denouncements in question, but should be restored to all the rights to which they are entitled as above stated, including the right to conduct drilling operations on their properties. In this relation you will point out the wholesale character of the denouncements that have been filed, and that it would only be necessary for a sufficient number of denouncements to be filed to deprive American companies of the use of all of the lands which they have acquired by lease or purchase. The Mexican Governments attitude will of course have a bearing on future developments.

COLBY

812.6363/707

The Secretary of State to the Chargé in Mexico (Summerlin)

No. 1450 WASHINGTON, *August 18, 1920.*

SIR: The Department is informed that on July 10, 1920, there was published in the *Diario Oficial* at Mexico City, Circular No. 10, stated to be issued pursuant to Article 4 of the Executive Order of March 12, 1920, fixing the general conditions under which concessions may be granted for the development of petroleum deposits in the so-called Federal Zones, and that in the said circular it is provided that if an application for such a concession shall indicate that the concession will encroach upon a petroleum claim already granted, or for which a patent has been applied, the patentee or applicant for a patent may file an adverse claim, but even if the decision is favorable to the adverse claimant, he must apply within one month thereafter for a concession to develop the lands to which his claim refers, or lose all preferential rights to develop such lands. Moreover it seems that under the provisions of the circular, concessions may only be granted to Mexicans by birth or naturalization, or to corporations recognized under the laws of Mexico.

It is represented to the Department that these so-called Federal Zones include strips of land twenty meters in width along streams to the high tide mark and ten meters in width from high tide mark as far as the stream may be navigated by rafts; that the as[s]umption of government ownership of such streams is in conflict with the laws of Mexico, whereby the owners of lands adjoining or surrounding streams own to the center of streams, and that the Mexican law of 1902 [*1901?*] by which such so-called Federal Zones were recognized did not affect property rights therein, but merely provided that the easement enjoyed by the public on the edge of streams should be of the sizes mentioned.

It appears, however, that the circular and decree in question assume that the ownership of such strips is in the nation and attempt to deprive private owners without compensation of their rights therein. Such action is reported to the Department to be seriously prejudicial to the rights of American oil companies which have acquired by purchase or lease, in accordance with Mexican law, lands for the purpose of oil drilling adjacent to navigable streams, and are entitled by reason of such purchase or lease to drill in those lands or in the Federal Zones, if the public right of way is not disturbed by the drilling operation. In this connection the Department is advised that nearly all oil properties in Mexico are crossed by streams or creek beds, which, at certain times in the year carry water and may be claimed to be navigable by rafts for a few months in the year. It therefore follows that the damage threatened to American interests by the decree and circular mentioned is of large extent.

Bearing in mind the previous instructions of the Department relative to your communication with persons now exercising authority in Mexico, you will informally bring the foregoing to the attention of the appropriate person and state that if the facts are as above set forth, the circular and decree mentioned appears to threaten the confiscation of extensive rights of American citizens and that in your opinion the Government of the United States cannot remain insensible in the face of such danger to the rights of its citizens, but must support them in the enjoyment of those rights.

I am [etc.]

For the Secretary of State:
ALVEY A. ADEE

812.6363/737

The General Solicitor of the Standard Oil Company of New Jersey (Swain) to the Secretary of State

NEW YORK, *October 21, 1920.*
[Received October 22.]

SIR: Under date of August 3rd, 1920, I had occasion, as Chairman of the Executive Committee of the Association of Producers of Petroleum in Mexico, to write you generally on the subject of violation by the Mexican Government of American rights in oil lands in that country by reason of concessions granted on the so-called "Federal Zone".

I now beg to advise you that applications have been filed for Federal Zone concessions in front of lands on the Panuco River

belonging to the Compañia Transcontinental de Petroleo, S.A., the wholly owned Mexican subsidiary of this Company, as follows:

1. Expediente No. 25–A, dated August 26, 1920, published in the *Diario Oficial* Sept. 11, 1920: Application by David Fernandez de Jauregui and Miguel Gomez, Mexicans.
2. Expediente No. 26–A, dated Sept. 1, 1920, published in the *Diario Oficial* Sept. 9, 1920: Application by Marine Duran Hernandez of Mexico City.

Petitions of this character are, I understand, being granted in numbers as a matter of course, and we apprehend that the petitions above mentioned will have favorable consideration despite the fact that our local people are taking all possible steps of protest before the proper authorities.

The only claim of right in the Mexican Government to issue concession on our properties can be predicated only on Article 27 of the Constitution of 1917, and the exercise of such pretended right will clearly be confiscatory as to us, the owners and lessees of the properties.

I do not recall that I have heard from the Department with reference to the subject matter of my letter of August 3rd, 1920, other than its courteous acknowledgment thereof under date of August 16th, 1920,[48] which latter contained the advice that protest was being informally made at Mexico City. I shall be interested if the Department can advise me of any further developments or can take action in regard to the specific matters mentioned above.

I am [etc.] C. O. Swain

812.6363/742

The Association of Producers of Petroleum in Mexico to the Secretary of State

New York, *November 15, 1920.*
[Received November 16.]

Sir: Kindly refer to your letter of October 27, 1920,[48] (your So–812.6363/737), by which you acknowledge receipt of my letter of the 21st of the same month, both relating to concessions granted to third parties by the Mexican Federal Government of the right to explore for and exploit the petroleum underlying the so-called Federal Zones on rivers in the Mexican oil fields, the effect of which concessions, if they are not cancelled, will be the confiscation of the vested rights of American citizens in the adjoining lands or leases owned or controlled by American citizens.

[48] Not printed.

In this letter you advise me that the American Embassy at Mexico City has received an informal communication from the Foreign Office of the *de facto* Mexican Government stating that the Embassy's informal representations have been brought to the attention of the Secretary of Industry and Commerce, with the request that he furnish all necessary information and data, for forwarding to the Embassy. You further advise me that in view of this response to the Embassy's informal representations, and of the existing situation in Mexico, your Department considers that it must refrain for the present from further instructions to the Embassy.

On behalf of the Association of Producers of Petroleum in Mexico, I beg to express the appreciation of the Association for your letter under acknowledgment and to represent to you the capital importance to the American interests affected, that, at the earliest date which may be consistent with the relations of the American Government with the Mexican authorities, the Embassy be instructed to call upon the Mexican Foreign Office for the information and data requested of the Mexican Department of Industry and Commerce. Vested American rights are being jeopardized and unless early relief is obtained through further representations of your Department, they will suffer irreparable damage and confiscation.

The Government of President Carranza or that of his successor have actually signed at least seventeen concessions covering the petroleum subsoil of the so-called Federal Zone of all the rivers and their affluent creeks, rivulets and brooks in the entire proven fields of the State of Veracruz. Enclosed you will find a table of these concessions and a map of the " Southern " oil region of Mexico, showing the location of the concessions with reference to the holdings either of members of this Association, or of other American interests.[49] A map of the river-zone concession situation in the Panuco field is not attached. But it is not needed for your comprehension of the situation in this field, since you can visualize the situation from the situation in the Southern region. The Panuco river is a tropical river of slow current and many sinuosities, which has several affluents in the developed oil field, all of which are covered by Federal Zone concessions and make possible the drainage of producing wells of all members of our Association by offset wells if they are allowed to be drilled on these concessions. Nevertheless, if the Department so requests, I shall be glad to have a map prepared. From this map you will perceive that, as I intimated in my initial letter of August 3, 1920, the grantees of these concessions will be in a position, if they are permitted to develop their concessions, to drain by offset wells, the petroleum deposits underlying the lands or leases of practically every member of the Association. Since the

[49] Not printed.

Carranza Government initiated its program of nationalization of the petroleum subsoil, no more ingenious, insidious and dangerous attack upon the vested rights of American citizens has been devised. At the cost of hardly more than a few sheets of paper and document stamps, favorites of the Mexican Government are being enabled to procure locations for wells which will offset the producing wells of members of this Association. It is hardly necessary to explain to you, that the discovery of producing wells has been conditioned upon the drilling of numerous dry holes and the expenditure of hundreds of thousands of dollars in these operations, to say nothing of the considerable sums previously expended by our member companies in the purchase or lease of their holdings from the Mexican owners, prior to the taking effect of the new Mexican Federal Constitution of 1917.

In order that you may appreciate that the Association's apprehensions of immediate peril are well founded, I draw your attention to the fact that the Compañia Maritima de Petroleo, has drilled a well at Lot "A", Buenavista, on the Panuco river, capable of producing daily five thousand barrels of petroleum, which offsets the following wells of members of this Association:

Well #3 of the Mexican Gulf Oil Company
Well #1 of the Panuco–Boston Oil Company
Well #4 of the Tal Vez Oil Company

In the Tuxpam field, on the so-called Federal Zone of the Tancochin creek, the Compañia del Agwi, S.A. (Guffey interests) has brought in a well with a daily capacity of 50,000 barrels. This well threatens the production of adjoining wells belonging to the following members of this Association: International Petroleum Company, The Eagle Oil Company, Freeport–Mex. Petroleum Company, Mexican Gulf Oil Company, and of the wells of all other companies which tap the Amatlan pool.

While the members of this Association have taken, or are taking, steps to sue for relief in the Mexican courts, these steps afford no prospects for adequate relief. The offset wells of these concessionaires of the Federal river zone will have exhausted the petroleum pools, long before the actions will have been decided in last resort by the Federal Supreme Court of Mexico. As an illustration, I beg to remind you that the "amparo" suits initiated more than two years ago by the members of this Association, in order to test the constitutionality of the Carranza petroleum decrees, have not yet been heard by that court; and that there is no indication that within any calcu[l]able future these causes will either be argued or decided.

Nevertheless, the vigorous representation of your Department, heretofore made to the Mexican Foreign Office, has meanwhile afforded the members of this Association a measure of practical relief in the matter of denouncement of their holdings, since the Mexican Government has refrained from enforcing the Carranza decrees to the full extent of the letter thereof.

It is hoped by the Association that your Department will lend its good offices in this matter of encroachment of vested American rights through the granting of Federal Zone concessions, which in comparison with denouncements, contain elements of far greater danger, because of their more insidious character.

Respectfully,

THE ASSOCIATION OF PRODUCERS
OF PETROLEUM IN MEXICO
By C. O. SWAIN,
Chairman of Executive Committee

812.6363/777 : Telegram

The Chargé in Mexico (Summerlin) to the Acting Secretary of State

MEXICO, *December 31, 1920—3 p.m.*
[Received January 1, 1921—11:18 a.m.]

489. I am reliably informed that the Mexican Supreme Court by unanimous vote has denied *amparos* asked for by several American oil companies against denouncement made by third parties on lots leased by companies prior to May 1st 1917.

SUMMERLIN

812.6363/778

The Chairman of the Executive Committee of the Association of Producers of Petroleum in Mexico (Swain) to the Acting Secretary of State

NEW YORK, *December 31, 1920.*
[Received January 4, 1921.]

SIR: Referring to the communication of the Huasteca Petroleum Company of December 24th last and to my communication of December 27th on behalf of the Standard Oil Company (New Jersey),[50] both giving facts as to the issuance by the Mexican Government of

[50] Neither printed.

"denouncement titles" in favor of Mexican denouncers of eight (8) tracts of land owned or leased by American companies, as Chairman of the Executive Committee of the Association of Producers of Petroleum in Mexico, I beg to call your attention to the gravity of the situation which has arisen by virtue of this first grant to Mexicans of American property rights under the denouncement system put into force by the Carranza decrees and against which your department has protested.

There are at present over 1100 denouncements, that is, petitions for grants of subsoil rights in Mexico, over two hundred of which ask for rights in lands of Americans and American companies. We feel sure that if prompt steps are not taken, urgently to bring to the attention of the Mexican Government the seriousness of this granting to Mexican citizens of properties of American[s], the Mexican authorities will be encouraged to grant similar denouncement titles to the remaining Mexican petitioners for grant of subsoil rights in the remaining American properties denounced, thereby making any settlement of the problem infinitely more difficult.

I have [etc.] C. O. SWAIN

MEASURES PROPOSED BY THE INTERNATIONAL COMMITTEE OF BANKERS ON MEXICO FOR THE PROTECTION OF INVESTORS IN MEXICAN SECURITIES [51]

812.51/571a : Telegram

The Secretary of State to the Chargé in Mexico (Summerlin)

WASHINGTON, *March 30, 1920—4 p.m.*

97. Newspapers publish announcement apparently inspired, under Mexico City date line, that Mexican Government intends to resume interest payments on foreign debt. Date of resumption not stated.

Ascertain if possible, and telegraph whether preferential treatment will be given to coupons longest overdue, or if payments when begun will be applied to taking up coupons currently maturing.

COLBY

812.51/574 : Telegram

The Chargé in Mexico (Hanna) to the Secretary of State

MEXICO, *April 16, 1920—10 a.m.*

[Received 9:52 p.m.]

110. Department's telegram 97, March 30, 4 p.m. The Comptroller of the Mexican Treasury informs the Embassy that despite the desire

[51] For papers relating to the formation of the International Committee of Bankers on Mexico, see *Foreign Relations*, 1919, vol. II, pp. 644 ff.

of the Mexican Government to resume interest payments on its foreign debt his personal opinion is that no payments can be made this year but that when payments are renewed coupons longest overdue will be paid first. HANNA

812.51/579

The Chargé in Mexico (Hanna) to the Secretary of State

No. 3117 MEXICO, *April 28, 1920.*
[Received May 8.]

SIR: Supplementing my telegrams No. 110 of April 16, 10 A.M., and No. 133 of April 24, 11 A.M.,[52] in reply to the Department's telegram No. 97 of March 30, 4 P.M., in regard to the report that the Mexican Government intends to resume payments on its foreign debt, I have the honor to report that, in the personal note referred to from Mr. Luis Cabrera, Secretary of Hacienda, he informed me that the Mexican Government had been considering the question of applying a portion of its budget "to arrangements to be made with its creditors" but that, in view of the political events developed in the last few days that matter has been left in abeyance for the time being.

In this connection it would appear that the revenues of the Mexican Government probably have already decreased as a consequence of the Obregón uprising, while the extraordinary expenditures have materially increased. No revenues are reaching the Federal treasury from Sonora, as well as from large portions of Sinaloa, Guerrero, Michoacan and perhaps other regions occupied in force by Obregón armed forces. Many branches of business have already received a serious check and the Commercial Attaché informs me that merchants and others anticipate a material reduction in imports which will further reduce the Federal revenues. The same may be true of revenues from exports. Lessened activity in all lines of domestic industry may be expected to diminish the receipts from the stamp tax which is an important source of Federal income.

On the other hand, I am informed that the expenditures for all military purposes have greatly increased, as might be expected. Retired officers in large numbers have been recalled to active service and there appears to be great activity in the recruiting service, although this may not do much more than replace the troops who desert to Obregón. The ammunition and arms factories are working at much greater capacity than formerly, and I am informed that the government controlled railroads are being used almost exclusively for the transportation of troops and military supplies, thus

[52] Latter not printed.

converting them into a drain on the treasury instead of a source of revenue, which they formerly were. In addition, the opportunities for irregular practices in the handling and expenditure of public funds have greatly increased. So that, considering the fact that Mexican revenues only recently had begun slightly to exceed expenditures, there appears to be much reason for the assertion that the Mexican Government soon may be under a serious financial strain.

The opinion here appears to be fairly universal that the Government could not meet such a contingency by an issue of paper money. One American banker has expressed to me his fear that Mr. Luis Cabrera, Secretary of Hacienda, author of the statement that, forced by necessity, the Government was compelled to take money wherever it could be found, might go so far in his application of that doctrine as to demand or even take the deposits of the local foreign banks. Another banker, however, is of the opinion that the danger involved in such action is out of proportion to the funds which could be secured, in view of the fact that the total of the funds in all such banks probably does not exceed twenty million pesos, of which perhaps only three or four million are in American banks.

I am reliably informed that the Government is concentrating all its financial resources in this city, and is bringing here all the deposits of the branches of the Monetary Commission which will total approximately seven million pesos, and that from this and other sources it will be able to get together a fund of about fifteen million pesos to draw upon until means of increasing the revenues have been decided upon. A very direct method for so doing, and the one suggested by Mexican precedents, is for the government to take over important privately owned properties and to increase the taxes on others. Mr. Cummins, of the British Legation, has informed me that the street railways of this city are now being threatened with a new tax which will amount to about three quarters of a million pesos per year. On the other hand, the manager of one of the largest mining industries in Mexico says he has no fear of the Government taking over the gold and silver mines because of the difficulty it would have to secure cyanide, without which the mines cannot be worked.

I have [etc.] MATTHEW E. HANNA

812.51/580 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *May 22, 1920—4 p.m.*
[Received May 23—12:45 a.m.]

244. In a personal and unofficial note dated yesterday Juan Sanchez Azcona, in charge of Mexican Foreign Office sent me a

copy of a telegram dated May 9, in which Mr. Blanco, purchasing agent for the Mexican railways, then in New York City, reported to Mr. Fontes, director general of the Mexican railways, that the available funds belonging to the Mexican Nation deposited in New York City in the names of Fontes and Blanco amounted to $337,750, and requested me to take such steps as I deemed convenient to safeguard these funds until they can be recovered by legal proceedings.

SUMMERLIN

812.51/579 : Telegram

The Secretary of State to the Chargé in Mexico (Summerlin)

[Paraphrase]

WASHINGTON, *June 1, 1920—5 p.m.*

162. Embassy's telegram dated May 22, 1920, 4 p.m. Banks in New York City which carry accounts of National Railways, Comision Monetaria, and Financial Agent, Government of Mexico, have notified the Department that they will not honor any checks which may be drawn on said accounts until Government now functioning in Mexico is recognized.

COLBY

812.51/585 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *June 16, 1920—7 p.m.*
[Received 10:30 p.m.]

292. The Secretary of the Treasury has advised me indirectly and unofficially that he has been informed that the Equitable Trust Company of New York and other banks in the United States, where funds of Mexican Government are deposited, are retaining these funds under legal advice until the Department of State advises them to the contrary. General Alvarado stated that this action is damaging to the Mexican Government and requested me to ask the Department if it will advise the banks in question to transfer these funds to the new Government and its legal representatives. In this connection General Alvarado added that the present Mexican Government desires but will not ask for recognition, that it wishes to show that it deserves recognition.

SUMMERLIN

812.51/585 : Telegram

The Secretary of State to the Chargé in Mexico (Summerlin)

[Paraphrase]

WASHINGTON, *June 19, 1920—5 p.m.*

174. Yesterday attorneys of the Equitable Trust conferred with the Department. They stated that they desired to release to the Government now functioning in Mexico the funds which had been deposited by the Carranza Government, but they did not feel inclined to shoulder the responsibility which such action would involve unless the Department could give them official assurance of the existence of *de facto* government in Mexico. Obviously, the Department is not able to give them such assurance at the present time.

COLBY

812.51/619

The Alternate Chairman of the International Committee of Bankers on Mexico (Lamont) to the Under Secretary of State (Davis)

NEW YORK, *September 28, 1920.*

[Received September 29.]

DEAR MR. DAVIS: Simply as a memorandum to you, I call your attention to this letter-head, indicating the make-up of the International Committee of Bankers on Mexico.[53] This gives the American, French and British Groups. Since these were organized we have, with the approval of the Department of State, added a representative of the Dutch and Swiss interests. You will remember that this Committee was organized with the approval of the Department and the idea of it was that it would be an omnibus committee not for the purpose of attending to every investment interest in Mexico but rather to act as a steering committee. You will recall that the Department laid down the rule that its policy in the working of the committee must prevail.

It is manifest that if the general situation of Mexico with reference to her outside creditors is to be discussed, then this Committee is the proper medium for such discussion. When it comes to the question of any particular interest, like the railroads, oil or what-not, then the idea was that special committees could be made up from the outside with, however, a member of the International Committee of Bankers on Mexico on each such committee to act as a binder.

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[53] For make-up of committee, see enclosure, *infra*.

So many suggestions are now being made to send missions to Mexico that it seems to us that if any one is to be sent, this International Committee should preeminently be represented. The Carranza Government, bad as it was, announced its satisfaction, you may remember, with the appointment of this Committee.

In this connection you may be interested in reading the enclosed confidential copy of minutes of a meeting of the British Group recently held.[54]

Sincerely yours, T. W. LAMONT

[Enclosure]

Statement as to the Organization and Composition of the International Committee of Bankers on Mexico

The International Committee of Bankers on Mexico, composed of ten American, five French and five British bankers, was constituted in February (1919) for the purpose of protecting the holders of securities of the Mexican Republic, and of the various railway systems of Mexico, and, generally, of such other enterprises as have their field of action in Mexico. The Committee will be prepared to take such further steps as may seem wise in order to afford counsel and aid to investors who hold interests in Mexico.

AMERICAN GROUP

Member	*Representing*	*Alternate*
J. P. Morgan, (Chairman)	J. P. Morgan & Co.	T. W. Lamont, Chairman Foreign Committee, Investment Bankers Ass'n of America.
John J. Mitchell	Pres., Ill. Trust & Svgs. Bank	E. D. Hulbert
Walter T. Rosen	Ladenburg, Thalmann & Co.	Benj. S. Guinness
Charles H. Sabin	Pres., Guaranty Trust Co.	Francis H. Sisson
Mortimer L. Schiff	Kuhn, Loeb & Co.	Jerome J. Hanauer
James A. Stillman	Pres., National City Bank	John H. Fulton
Geo. W. Davison	Pres., Central Union Trust	J. Y. G. Walker
Albert H. Wiggin	Chairman of Bd., Chase Natl.	Ed. R. Tinker
Robert Winsor	Kidder, Peabody & Co., Boston	Frank W. Remick
Edward F. Swinney	1st Natl. Bk., Kansas City, Mo.	H. T. Abernathy

SUB COMMITTEES

Public Debt	*Railways*	*Industries*
J. P. Morgan	Albert H. Wiggin	Charles H. Sabin
Robert Winsor	Mortimer L. Schiff	Geo. W. Davison
James A. Stillman	Walter T. Rosen	John J. Mitchell

[54] Not printed.

BRITISH GROUP

Laurence Currie	Messrs. Glyn, Mills, Currie & Co.
Sir Clarendon Hyde	Messrs. S. Pearson & Son, Ltd.
E. R. Peacock	Chairman, Bondholders Committee of the Mexican Tramways and the Mex. Light & Power Group of Companies
Vivian H. Smith	Messrs. Morgan, Grenfell & Co.
Vincent W. Yorke	Chairman, Mexican Railway Co., Ltd.
C. E. ter Meulen *	Messrs. Hope & Co., Amsterdam, Holland.

FRENCH GROUP

William d'Eichthal	Mirabaud & Co.
George Heine	Director, Banque de l'Union Parisienne.
Andre Honnorat	Member of the Commission for the Protection of French Holders of Mexican Securities.
Jacques Kulp	Auditor, Banque de Paris et des Pays-Bas.
Joseph Simon	Inspector of Finance, General delegate of the Commission for Protection of French Holders of Mexican Securities.

812.51/600

The Alternate Chairman of the International Committee of Bankers on Mexico (Lamont) to the Under Secretary of State (Davis)

NEW YORK, *October 5, 1920.*
[Received October 7.]

DEAR MR. DAVIS: Thank you for your letter of October 1st.[53] For your information I will summarize, as briefly as possible, the facts regarding the organization of this Committee.

In the autumn of 1918, after learning that the leading investment interests in London and Paris felt that it would be wise to have organized an international committee so as to enable Mexico, when the time came, to deal with one instead of many diverse bodies of creditors, I conferred, by appointment, on October 4th with Mr. Polk and Mr. Auchincloss at the Department of State. They expressed hearty approval of the plan for the formation of an International Committee of Bankers on Mexico. We arranged together that this Committee was to be made up with a member of this firm[54] as chairman, the remaining members to be selected from representative American banking houses interested in the handling of Mexican securities, as well as adequate representation of French and British interests. It was further decided that before the organization of the committee was finally effected and before any announcement was made, the Department should ask Ambassador Fletcher to sound out President Carranza with the idea that Carranza might

* Mr. C. E. ter Meulen of Messrs. Hope & Co., Amsterdam, attends the meetings of the British Group, representing Dutch interests in Mexico. [Footnote in the original.]

[53] Not printed.

[54] J. P. Morgan & Co.

possibly request the formation of such a committee. This he did but at the time Carranza made no constructive suggestions.

We kept the Department informed of our communications to London and Paris and in turn informed those two centers of the stipulation which the Department had very properly laid down, namely, that in any attitude the whole International Committee might take the policy of the United States should prevail. The exact language of the Department on this point was "He (Secretary Lansing) agrees with me, however, that it is important that the control be effectively American." This is from Mr. Fletcher's letter of August 6th, 1919,[55] and was reiterated in Mr. Phillips's letter of November 5th, 1919.[55]

There was further cable correspondence and further unofficial conferences with the Department and finally it was agreed to form the Committee on the basis of ten members from the United States and five each from England and France, this line-up indicating the preponderance of American interests, as requested by the Department.

After everything was in shape, I prepared an announcement prior to my departure for the Peace Conference at Paris. This formal announcement was published simultaneously in New York, London and Paris. I enclose a photostat copy of the *New York Times* of February 24th, 1919.[55] The formation of the Committee at the time created a good deal of favorable comment and Carranza, seeing which way the wind was blowing, came out with a cordial statement approving of the organization of the Committee.

In August, 1919, the question of enlarging the Committee came up, as it seemed advisable that Holland and Switzerland be represented. At first we thought it might be well to enlarge the American Committee proportionately and the Department of State thought so, too, but upon discussion it seemed rather impolitic to insist upon the exact proportion, America having such a large preponderance anyway. Accordingly, upon this point, I wrote Mr. Fletcher on December 23rd, 1919,[56] and he replied on December 27th that he had discussed the matter with Mr. Polk, Acting Secretary, who authorized him to inform us "that the Department was willing to leave the details of the composition of the Committee to our [*sic*] judgment, provided, of course, that the effective control of policy remains in our hands."[57]

All the record covering the foregoing is on file in the Department but simply for your convenience I have had the Secretary of

[55] Not printed.
[56] *Foreign Relations*, 1919, vol. II, p. 648.
[57] *Ibid.*, p. 649.

the Committee summarize it, and I have supplemented it with one or two points from my own recollection. The whole point I have in mind is to remind the present officials of the Department (there having occurred in the Department some changes of personnel since October, 1918) that our Committee was formed largely at the instance, and fully under the instructions of the Department, with the hope of being able to render the government a distinct service in its solution of the Mexican questions.

I am glad to know that you and I are in accord as to the part to be played by this Committee when the time for conferences finally arrives.

Sincerely yours,

T. W. LAMONT

812.51/598a

The Acting Secretary of State to President Wilson

WASHINGTON, *November 2, 1920.*

MY DEAR MR. PRESIDENT: Some time ago an International Committee of Bankers on Mexico was formed by various banking groups in the United States, England, and France, to consolidate and protect the interests of various investors in Mexican securities. Subsequently, Dutch and Swiss bankers were included in the groups. J. P. Morgan is Chairman of the American group, but Lamont, who is alternate Chairman, has been taking the active lead in the matter and has kept me advised of developments. According to the record, the State Department informed the American group of bankers that there would be no objection to their joining the International Committee, provided the American group would have a predominating voice in the policy and activities of the Committee.

Some weeks ago, the British and French groups began to press the American group to send a joint committee to Mexico to investigate conditions and to take up at least preliminary discussions with the Mexicans. I discouraged this because we thought that a premature visit of such a committee might be construed as having political significance and deter the Mexicans from taking measures necessary to justify recognition. Lamont concurred in our views. Very recently, however, the British and French groups, being pressed by the investors they represent, have been more insistent upon sending someone to Mexico. To this end, Sir William Wiseman arrived last week. He comes primarily representing the French Committee, but also, I understand, carried in effect a proxy from the British Committee. Both Committees have recommended to Lamont that Wiseman go to Mexico to represent all of the groups. I have informed Lamont confidentially that this would be very unsatisfactory and

that when a committee does go to Mexico it should be headed by an American in whom we would have confidence. Lamont would, in my opinion, be the most satisfactory and dependable one to head a committee at the proper time, if he can possibly get away.

Lamont informs me that while the foreign committees are apparently desirous that no action should be taken which is not entirely agreeable to this Government, we ought, in his judgment, within a reasonable time, find a *modus vivendi*, or else it will be difficult, if not impossible, to hold the five-Power team in hand. Wiseman has informed him that he has, in any event, private business which will necessitate his going to Mexico and that if he were to discuss matters there on behalf of the British and French Committees he would do so on the theory that it would be necessary for the Government to commit itself to certain reconstructive attitudes as to foreign loans before any real discussions could be undertaken.

Lamont especially desires a hint as to the expediency of letting Wiseman go down there alone, and also calls our attention to the fact that the American bankers must show some disposition to our investors to "get busy".

Lamont is discreet and dependable and I think it would be wise to inform him that there would be no objection to a committee headed by an American, preferably himself, going to Mexico the first part of December. This will give time to the Mexican Government, if it can and so desires, to take such action as would justify your extension of recognition. I should be pleased to have your instructions and guidance in the matter.

Faithfully yours,

NORMAN H. DAVIS

812.51/622

The Alternate Chairman of the International Committee of Bankers on Mexico (Lamont) to the Acting Secretary of State

NEW YORK, *December 27, 1920.*[58]

DEAR MR. DAVIS: Referring to our letters of December 17th and 22nd,[59] regarding the proposed announcement to be given to the press for publication simultaneously in New York, London and Paris, the British Group suggests a slight modification. The proposed announcement will read as follows:

"The International Committee has had under consideration the question of calling for a deposit of Mexican Government securities. It does not feel, however, that the situation in Mexico has developed sufficiently to make this step desirable at this juncture. The Com-

[58] Date of receipt not indicated.
[59] Neither printed.

mittee is observing the situation carefully, and stands prepared to take steps which may seem advisable for the interests of holders of Mexican Government securities. This announcement is being made simultaneously by British and French Groups of the International Committee."

For purposes of comparison, I quote the former notice:

"The International Committee does not feel that the situation has developed sufficiently to warrant an invitation calling for a deposit of Mexican securities. The Committee is observing the situation carefully, and stands prepared to take steps which may seem advisable for the interests of holders of Mexican Government securities. This announcement is being made simultaneously by British and French Groups of the International Committee."

Tuesday, January 4th, 1921, has been suggested as the proposed publication date for this notice, and inasmuch as the change suggested by the British Group is of no importance whatsoever, we shall assume we have your tacit approval for us to proceed.

Very sincerely yours,

T. W. LAMONT

812.51/622

The Acting Secretary of State to the Alternate Chairman of the International Committee of Bankers on Mexico (Lamont)

WASHINGTON, *December 28, 1920.*

DEAR MR. LAMONT: In acknowledging the receipt of your letter of December twenty-seventh containing the proposed announcement to be given out on December [*January*] fourth next simultaneously in New York, London and Paris, I beg to inform you that the Department of State finds no objection to the publication of such announcement.

NORMAN H. DAVIS

PROPOSALS LOOKING TOWARD THE ESTABLISHMENT OF A MIXED CLAIMS COMMISSION [60]

412.00/112

The Secretary of State to the Chargé in Mexico (Summerlin)

No. 1161 WASHINGTON, *October 9, 1919.*

SIR: The Department acknowledges the receipt of your despatch No. 2406 dated September 17, 1919,[61] with which you forwarded

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[60] For previous correspondence relating to claims of Americans against the Mexican Government, see *Foreign Relations*, 1919, vol. II, pp. 632 ff.

[61] Not printed.

the official text and translation of the Presidential Decree of August 30, 1919,[62] modifying the Presidential Decree of November 24, 1917,[63] which created a Commission to pass upon claims for damages to persons and property growing out of the Mexican revolutions. You are directed to address the Mexican Foreign Office substantially as follows:

Careful consideration has been given by the Government of the United States to the provisions of the Presidential Decree of August 30, 1919 on claims for damages arising from the revolutions in Mexico, with the confident expectation that this Government's continued hope and desire for an earnest endeavor on the part of the Mexican Government to adjust the claims of foreigners would be realized. It is, therefore, with satisfaction that the Department notes the broad and just purposes expressed in the preamble of the Decree of August 30, 1919 to increase the sphere of the functions of the Claims Commission established by the Decree of November 24, 1917, and in general to remove all obstacles which might lead to doubt as to the sincerity of the intentions of the Mexican Government to indemnify all who may have suffered damages by reason of revolutionary movements.

In seeming execution of the aims referred to, it is observed that the Decree provides in Article 1, that the Claims Commission shall handle claims for damages to persons or property in consequence of revolutionary movements that have occurred since 1910 and in consequence of the subsequent state of revolt which continues to exist in some regions of the country, further and specific provision being made in Article 3, Paragraph IV, for the inclusion of claims based on damages caused by outlaws or rebels.

The qualification expressed in Article 3, that "there shall be no indemnification in the event that the person suffering the damage committed any voluntary act signifying an express recognition of the authority of the rebels or outlaws, or any intention to assist them against the legitimate authorities charged with affording protection", it is presumed, is not meant to negative or qualify in any way the application of the generally accepted rule of international law that foreigners residing or owning property in a country are entitled to deal with persons exercising *de facto* authority, with respect to matters within the apparent scope of such authority; especially since foreigners in Mexico were and are subjected to measures of compulsion from time to time adopted by such persons in authority. The same observation may be made, in passing, concerning Article 4, which apparently corresponds to Article 6 of the Decree of November 24, 1917. In regard to said Article 6, it is fitting to recall the statement in the communication of the Mexican Foreign Office to the American Ambassador dated November 29, 1918,[64] that "Americans who may only have recognized the authority of the usurping administrations and who may have submitted to

[62] See *Foreign Relations*, 1919, vol. II, p. 640.
[63] *Ibid.*, 1918, p. 793.
[64] *Ibid.*, p. 815.

their compulsory measures shall enjoy the benefits of the law, and shall have the right to present claims for damages suffered by them."

In further relation to Article 4 of the decree of August 30, 1919, it may be observed that the Government of the United States would be pleased to receive from the Mexican Government further light on the scope of the phrase "enemies of the Revolutions of 1910 and 1913 and of the new constitutional order", as used in the second sentence thereof.

Paragraph I of Article 3 of the Decree of August 30, 1919 seems to be identical in substance with the corresponding paragraph of Article 5 of the Decree of November 24, 1917 and in previous communications to the Foreign Office of the Mexican Government, dealing with the Decree of 1917,[65] it was pointed out that such language seemed possibly susceptible of the construction that it was intended to cover only damages caused by revolutionary forces operating against the authorities which are regarded by the present Government as usurpers, and therefore as excluding claims for damages caused by those forces revolting against authorities regarded by the present Government of Mexico as legitimate. It seems probable, however, that the Mexican Government considers that claims based on damages caused by the "outlaws or rebels" (Article 3, Paragraph IV) include those arising from the action of the revolutionary forces in opposition to authorities regarded by the present Government of Mexico as legitimate and that it was the intention of the Mexican Government, in the use of the broad terms "outlaws and rebels" to clarify the ambiguity present in the Decree of 1917. A contrary construction is not believed to have been contemplated by the Mexican Government, especially as the Government of the United States has before called attention to the fact that it is alleged by certain American claimants that damages were inflicted upon them by unsuccessful revolutionists, which damages the existing authorities failed to avert, although having the power to do so.

While observing with gratification the apparent desire of the Mexican Government to remove the restricted nature of the Decree of November 24, 1917 so as to enable the Commission to make a complete and sweeping disposition of the claims in question, as evidenced by the provisions above reviewed, the Government of the United States is not cognizant of what may be the meaning and significance intended to be given by the Mexican Government to the limitation in Article 6, that damages "may be cause for indemnification, in case the same shall not have been brought about by imprudence or provocation chargeable to the victim", and therefore would be pleased to have the Mexican Government make a comprehensive statement as to the scope and effect of this limitation.

Referring further to Article 6, it is presumed that the word "injury" as used in the first sentence of that Article relates only to an injury to the person and not to property losses. In this connection, the Government of the United States would appreciate being supplied with a copy of the "Laws of the Federal District Penal Code" referred to in the article under consideration.

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[65] See instructions of Mar. 8, 1918, to the Ambassador in Mexico, *Foreign Relations*, 1918, p. 801; and July 25, 1919, to the Chargé in Mexico, *ibid.*, 1919, vol. II, p. 637.

The first paragraph of Article 16 follows the Decree of November 24, 1917 [66] and reads:

"Claims arising from the Revolution of 1910 which may have been submitted to the Consultive Commission created by virtue of the Law of May 31, 1911, shall be considered as having been presented in due time, and shall be handled by the new Commission, taking the files in the state in which they may be at this time, and continuing the handling thereof in conformity with this Law and its Regulations."

This article appears to make provision for consideration by the Commission of claims arising from the Revolution of 1910, which were submitted to the Claims Commission constituted by President Madero [67] and which claims are to be considered as presented within the time limited by the Decree under consideration. Regarding these provisions, it may be observed that the Government of the United States presumes that it was not the intention of the Government of Mexico to exclude from the cognizance of the proposed Commission, claims arising from the Revolution of 1910 which were not presented to the Commission created by President Madero, but in order to clear up all possible ambiguity on this point, would be pleased to have an authoritative statement in the matter.

The Mexican Government will recall having replied [68] to similar representations by the Government of the United States regarding the corresponding provision in the Decree of November 24, 1917 that "The sufferers who may have not presented their claims to the Commission created in 1911 may do so now to the new Commission within a period of three years, beginning from November 24, 1917, in the manner indicated by the Law and its Regulations."

Articles 12 and 13, which deal with the composition of the tribunal to hear appeals from the Claims Commission, read as follows:

Article 12. "The findings of the Commission with regard to the claims of foreigners, which may have been objected to by the interested party [*parties*], shall be submitted to an Arbitration Committee composed of 3 members, of whom one shall be appointed by the President of the Republic, another by the Diplomatic Agent of the country to which the claimant belongs, and the third by common agreement of the first two. If this latter should not be possible, the Executive shall also appoint the third member, choosing him from among the nationals of a country having no claims to make for account of damages caused by the Revolution. The appointment of arbiters shall not include diplomatic or consular agents."

Article 13. "The Arbitration Committees spoken of in the preceding article, shall handle exclusively the case for which they may have been appointed, unless the Executive may have entered into international agreements for the formation of Mixed Permanent Committees to handle all the claims of the nationals of any given country."

In connection with Article 12, it may be observed that it is similar to Article 14 of the Decree of November 24, 1917, and therefore the possibility still exists of the appointment by the Mexican Government of two out of the three members of the Arbitration Tribunal. However, the Government of the United States is pleased to note that this feature need no longer constitute an insuperable obstacle to this Government in its desire to render assistance to the

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[66] Article 7.

[67] Established July 1, 1911; see *Foreign Relations*, 1912, pp. 934 ff.

[68] Note of Nov. 29, 1918, from the Mexican Acting Secretary of State for Foreign Affairs to the American Ambassador, *Foreign Relations*, 1918, p. 815.

Mexican Government in the prompt disposition of claims, since Article 13 of the Decree of August 30, 1919, the subject matter of which was not contained in the Decree of November 24, 1917, was apparently intended to give the Executive the requisite power to enter into an international agreement, committing the Mexican Government to an Arbitration Tribunal of undoubted international standing, the desirability of which has been strongly urged by this Government in its communications dealing with the Decree of November 24, 1917. Article 13 of the Decree of 1919 specifically refers to the possibility of the Executive entering into international agreements for the formation of "Mixed Permanent Committees to handle all the claims of the nationals of any given country." In conclusion, therefore, I beg to inquire, and under instructions from my government, whether the President of the Republic is now prepared to enter into an arrangement for the consideration by a Mixed Commission of the claims of American citizens.

I am [etc.] ROBERT LANSING

412.00/116 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *February 6, 1920—noon.*
[Received 11:40 p.m.]

28. Department's mail instruction number 1161 October 9, 1919.

The Acting Minister for Foreign Affairs called me to the Foreign Office last evening to say that the Mexican Government is now prepared to enter into an arrangement for the consideration by a mixed commission of American claims against Mexico and Mexican claims against the United States.

SUMMERLIN

412.00/116 : Telegram

The Acting Secretary of State to the Chargé in Mexico (Summerlin)

WASHINGTON, *March 6, 1920—7 p.m.*

77. Your 28, February 6, noon.

In response to statement of Acting Minister for Foreign Affairs you may inform Foreign Office that this Government is disposed to enter into negotiation of an arrangement of the character described and would be glad to receive concrete proposal as a basis for such negotiations or to submit draft of Convention on subject if desired by Mexican Government.

POLK

412.00/125 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *September 13, 1920—noon.*
[Received 5:25 p.m.]

392. The local press today publishes an Executive decree amending article 15 of the Executive decree August 30, 1919 regarding claims [67] (Embassy's despatch number 2406 of September 17, 1919 [68]) so as to admit claims for damages caused up to June 30th 1920 and to extend until February 5th 1921 the period in which such claims may be presented.

SUMMERLIN

EMBARGO ON THE SHIPMENT OF ARMS AND AMMUNITION FROM THE UNITED STATES TO MEXICO [69]

612.119/2840

Memorandum of a Conversation between the Secretary of State and the Mexican Chargé (Diego-Fernández), April 15, 1920

The Chargé d'Affaires of Mexico again called attention to the shipment of arms across our frontier which might be consigned to or eventually reach the rebellious element in Mexico.

612.119/2839

Memorandum of a Conversation between the Secretary of State and the Mexican Chargé (Diego-Fernández), April 22, 1920

The Chargé d'Affaires of Mexico called to discuss the friction and disorders along the border, emphasizing the desire that the Carranza Government be permitted to import arms and ammunition and renewed his warnings against the irregular shipment of arms and ammunition which are supposed to be reaching the rebellious elements in Northern Mexico.

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[67] *Foreign Relations*, 1919, vol. II, p. 640.
[68] Despatch not printed.
[69] Continued from *Foreign Relations*, 1919, vol. II, pp. 548–555.

612.119/2854

Ruling of the Department of State, Requiring Licenses for the Exportation of War Materials to Mexico

WASHINGTON, *May 1, 1920.*

The Department of State rules that the following articles require individual export licenses from the Department when destined to Mexico. Formal applications should be submitted on official blanks.

1. Aircraft of all kinds.
2. Apparatus which can be used for the storage or projection of gases, flame acids or other destructive agents capable of use in war-like operation.
3. Arms, small arms of all kinds, including air-rifles other than those classed as toys, together with spare parts of such arms.
4. Camp equipment for military purposes exclusively.
5. Explosives as follows: Gun powder, powders used for blasting, all forms of high explosives such as dynamite, nitroglycerine, and TNT, blasting materials, fuses, detonators, and other detonating agents, and smokless powders. (These articles are listed as explosives in Sec. 2 of the Explosives Regulation Law, Public No. 68, 65th Congress; H.R. 3932 [69]).
6. Explosive ingredients as follows: Chlorates, nitrates, perchlorates, sulphur, and sulphuric acid.
7. Gases for war purposes.
8. Guns, machine guns, and spare parts thereof, and gun grease.
9. Gun Mountings and limbers.
10. Machinery—such as cartridge-making machines, specially manufactured for use in making arms and ammunition.
11. Military motor cars, military motor transport trucks, military wagons and trailers.
12. Mines, submarine, and their component parts.
13. Projectiles, charges, and hand grenades of all kinds with their component parts.
14. Range finders and their component parts.
15. Shot, shells and cartridges for small arms, both loaded and empty, and their component parts.
16. Signalling apparatus, including searchlights, rockets and torpedoes.
17. Submarine sound signalling apparatus.
18. Uniforms. United States Army regulation uniforms, or regulation United States Army cloth, or uniforms or cloth of similar color.
19. Warships, including boats and their component parts of such a nature that they can only be used on war vessels.
20. Wireless apparatus and supplies used in the transmission of wireless messages.

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[69] Stat. 385.

612.119/2846 : Telegram

The Consul at Monterey (Bowman) to the Secretary of State

MONTEREY, *May 1, 1920—noon.*
[Received 8:19 p.m.]

On April 27th Governor Santos sent a representative to ask if I could help to secure permission to import munitions from the United States. I replied this should be taken up through the Minister of Foreign Affairs at Mexico City. The representative displayed marked reluctance to accept my suggestion. This morning Governor Santos invited me to the Palace and personally repeated his request stating frankly that the citizens of Nuevo Leon would not enlist for military service outside the State and that he desired munitions of war to arm them as a home guard for protection against revolutionists in the State whom he admits to be a menace. He explains his insistence upon making this request through me in order to avoid delay and get quick action. He says he has full authority from Carranza but did not exhibit any proof. In view of the apparent reluctance to proceed in this matter through the Foreign Office my telegram April 30, 3 p.m.[70] may have added interest. Copy to the Embassy.

BOWMAN

612.119/2846 : Telegram

The Secretary of State to the Consul at Monterey (Bowman)

WASHINGTON, *May 4, 1920—4 p.m.*

Your May 1, noon.

Department approves your suggestion to Governor on question of munitions.

COLBY

612.119/2859 : Telegram

The Consul at Nogales (Dyer) to the Secretary of State

NOGALES, *May 12, 1920—11 a.m.*
[Received 2:57 p.m.]

Government of Sonora through Presidente Municipal Figueroa of Nogales, Sonora has made application on form which I am forwarding today for permission to export from United States 10,000 rifles and pistols and 2,000,000 cartridges, Remington or Winchester, specifications to be supplied later. If not contrary to policy of Department I urge favorable action, notification by wire.

DYER

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[70] Not printed.

612.119/2859 : Telegram

The Acting Secretary of State to the Consul at Nogales (Dyer)

WASHINGTON, *May 14, 1920—1 p.m.*

Department does not see its way clear at this time to permit exportation rifles, pistols, and cartridges mentioned in your May 12, 11 A.M.

POLK

612.119/2906

The Secretary of War (Baker) to the Secretary of State

TS 523.82–R–Tpn
(General) WASHINGTON, *July 2, 1920.*

The Secretary of War presents his compliments to the Honorable, the Secretary of State, and has the honor to enclose, in connection with his file Me 612.119/2850, four (4) copies of American Railroad Association Circular CCS–40, promulgated to all railroads, on the subject of embargo on shipments of arms and munitions to Mexican border points.

[Enclosure]

Circular CCS–40 of the American Railway Association

WASHINGTON, *June 19, 1920.*

To RAILROADS: In order to comply with the President's Proclamation of July 12, 1919,[71] prohibiting the exportation of arms or munitions of war from the United States to Mexico, and to prevent the indiscriminate sale of arms and other munitions along the border:

1. All railroads will immediately embargo all shipments of arms and ammunition to Mexican Border points except those covered by Government bills of lading; or those that are authorized by proper military authorities, or those that are authorized to be exported into Mexico by a license issued under the authority of the Secretary of State, as provided for in paragraph six (6) hereof.

2. As used in this order, Border Points will be understood to be as follows, all points inclusive; The cities of Galveston and Houston; Atchison Topeka and Santa Fe—Rincon and points south and west; El Paso & Southwestern—Alamogordo and points south and west; Texas & Pacific—Pecos and points west; Southern Pacific—Yuma to El Paso and all points south. In addition all points on and south

[71] *Foreign Relations*, 1919, vol. II, p. 551.

and west of a line following the Southern Pacific from El Paso to San Antonio and the San Antonio and Aransas Pass from San Antonio to Corpus Christi.

3. Among the arms and munitions of war referred to are included the following: field guns; machine guns; automatic rifles; grenades; bombs; high power rifles of caliber .22 or larger and ammunition for same; revolvers and automatic pistols, and ammunition for same.

This embargo does not include shot guns, shot gun ammunition and low power rifles of small caliber, such as are used in shooting galleries, and ammunition for them; dynamite, blasting powder, and other high explosives and fuses or caps for firing same.

4. Local persons, firms, or corporations desiring shipments made to them at border points, as defined in paragraph two (2), will apply to the commander of the military forces at the nearest one of the following points; San Antonio, Brownsville, Laredo, Eagle Pass, Del Rio, Marfa, El Paso, Columbus, Douglas, Nogales and Yuma.

Such commander is authorized to approve these requests when, in his judgement, such arms and other munitions are not to be used for purposes inconsistent with the purpose of these restrictions. When his approval is obtained; it should be forwarded to the shipper for file with the bill of lading, as authority for the railroad to transport the property in question.

5. To provide for the sale or shipment of arms or other munitions now at border points designated in paragraph two (2), the local intelligence officers will consider applications for such sale. Final action on application will rest with the commanding officers mentioned in paragraph four (4), above.

6. Persons, firms or corporations having authority from the War Department to ship arms or munitions to border points will furnish the shipper a copy of such authority for file with the bill of lading covering the same. Persons, firms or corporations having authority from the Secretary of State to export arms or munitions into Mexico will furnish the shipper a copy of such authority for file with the bill of lading covering the same.

7. Agents in billing shipments of arms and munitions as above described to border points or into Mexico, which have been properly authorized, will, for information of intermediate roads, place notation on waybill accompanying shipment, to the effect that authority from the War or State Departments, respectively, authorizing shipment, is on file at the office at point of origin.

This supersedes American Railway Circular No. 13, dated July 3rd, 1917, and any other instructions heretofore issued in conflict herewith.

W. C. KENDALL, *Chairman*

612.119/2929 : Telegram

The Governor of Lower California (Cantu) to the Secretary of State

CALEXICO, CALIF., *July 28, 1920.*
[Received July 29—5 : 07 a.m.]

On June 11th last I filed application with your Department for license to export the goods therein specified if favorable to that application. Is now very urgent for the protection of this territory where peace and order have prevailed uninterruptedly since 1914, an unwarranted invasion is now imminent by troops of Yaqui Indians led by unscrupulous chiefs and bent on pillage, loot, murder and all kinds of violence, thousands of peaceable law abiding persons and millons of dollars here invested are under my direct protection and inhabitants expect me to organize defense which cannot be effective without your granting said license; have also to protect irrigation system on which depend crops of American Imperial Valley. Present situation is culmination of months of conspiracy by turbulent so-called militaries to lay hands on property of this district. So far $15,000,000 of American money has been invested in crops which will be worth about forty millions, foreign property in this district amounts to over $100,000,000 mostly American. Expecting your favorable decision am sending respectful regards.[72]

E. CANTU

612.119/2932 : Telegram

The Consul at Mexicali (Boyle) to the Secretary of State

CALEXICO, *July 31, 1920.*
[Received 4 : 30 p.m.]

Governor Cantu has commandeered 50 cases dynamite from the Compania de Terrenos y Aguas de la Baja California, the Mexican corporation name under which the Imperial irrigation district of California operates that part of the international irrigation system situated in Mexico. Unless exportation explosives to this company stopped for time being this method of partial seizures will furnish constant supply of explosives to Cantu Government. Military Intelligence have complete knowledge incident.

BOYLE

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[72] For the Department's action on this request, see telegram of July 31 to the Consul at Mexicali, p. 158.

312.119/2932 : Telegram

The Secretary of State to the Consul at Mexicali (Boyle)

WASHINGTON, *August 2, 1920.*

Your July 31st.

Pending settlement present controversy, no more shipments explosives to your district will be licensed.

COLBY

612.119/2939 : Telegram

The Consul at Mexicali (Boyle) to the Secretary of State

MEXICALI, *August 31, 1920.*
[Received 4:26 p.m.]

I have been approached informally by Governor Salazar relative to securing permission for the release and import of the aeroplane license for export of which was refused to T. O. Paine who desired to export same at time of recent political unrest in Lower California, the consignee being the Cantu Government. Inasmuch as the resignation of Cantu brought to an end the period of unrest I can now see no more objection to the export of this plane than existed when some months ago Cantu was allowed to import three planes from the United States, and accordingly suggest that the plane be released for export. Although some commercial use may be made of the plane any plane exported to Mexico at present is available for ultimate military use.

BOYLE

612.119/2945

The Secretary of State to the Consul in Charge at Mexico City (Ferris)

WASHINGTON, *September 24, 1920.*

SIR: I am in receipt of your despatch No. 2156, of September 6, 1920,[73] reporting that several shipments of arms and ammunition have been received recently by Mexican firms from European countries, and stating that American companies interested in such business have complained against the American embargo on the shipment of arms and ammunition from the United States to Mexico.

In reply you are informed that the Department has decided to permit the exportation from the United States to Mexico of moderate quantities of shotguns, shotgun shells, loading tools, sporting

[73] Not printed.

powder, percussion caps, primers, BB caps, .22 caliber rifles, .22 caliber cartridges, and trap shooting material of all kinds.

I am [etc.]

For the Secretary of State:
WILBUR J. CARR

612.119/2994

The Chief of the Division of Mexican Affairs, Department of State (Johnston) to the Second Assistant Secretary of State (Adee)

[WASHINGTON,] *December 15, 1920.*

DEAR MR. ADEE: The War Department on its own initiative and without consultation with the Department of State, restricted in 1917 the shipment of arms and ammunition to such dealers at border points as had previously obtained a license from the military authorities.[73] The admission is now made by War Department officials, including the Judge Advocate's office, that no legal justification can be found for the establishment of an inhibited zone on the frontier. The license system was, however, acquiesced in by the dealers so long as the war lasted, but recently the chambers of commerce in American cities along the Mexican frontier have demanded that the zone system be abolished, and have threatened to bring mandamus proceedings to compel common carriers to accept shipments of arms and ammunition consigned to them without any restrictions.

The War Department is desirous of removing the objectionable features of the license system in order to forestall litigation. It is thought that that object can be attained by amending Circular CCS–40[74] as proposed in the Supplement attached hereto.[75] The concurrence of the Department of State was asked merely as a matter of form. I may add that the War Department has already telegraphed instructions to the Commanding General at San Antonio to modify the regulations in accordance with the spirit of Supplement No. 1 to Circular CCS–40.

C[HARLES] M. J[OHNSTON]

612.119/2979

The Secretary of War (Baker) to the Acting Secretary of State

OD 4164 WASHINGTON, *December 24, 1920.*

SIR: I have the honor to acknowledge receipt of your letter of December 16, 1920,[76] with reference to the removal of existing restric-

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[73] See *Foreign Relations*, 1917, pp. 1078 ff.

[74] *Ante*, p. 244.

[75] Not found in Department files; the draft referred to appears to have been returned to the War Department Dec. 16 (file no. 612.119/2975a).

[76] Not printed.

tions on the shipment of small arms and ammunition to points along the Mexican Border.

The modifications suggested by you in the draft of the proposed circular to supersede Circular CCS–40, American Railway Association, are concurred in by the War Department and by the American Railway Association.

I am enclosing herewith a copy of the amended regulations in which you will note that the sub-paragraphs of Paragraph 3 have been designated as (*a*) and (*b*) in order that they may be referred to more conveniently, and that paragraph 4 carries an interpolation to show that it refers only to embargoed articles.

Respectfully,

NEWTON D. BAKER

[Enclosure]

Supplement 1 to Circular CCS–40 of the American Railway Association

WASHINGTON, *December 3, 1920.*

TO RAILROADS: Circular CCS–40, dated June 19, 1920, is hereby amended to read as follows:

In order to comply with the President's Proclamation of July 12, 1919, prohibiting the exportation of arms or munitions of war from the United States to Mexico, and to prevent the indiscriminate sale of arms and other munitions along the border:

1. All railroads will immediately embargo all shipments of arms and ammunition to Mexican Border points, except the following:

(*a*) Those covered by Government bills of lading;
(*b*) Those authorized by proper military authorities;
(*c*) Those that are authorized to be exported into Mexico by a license issued under the authority of the Secretary of State, as provided for in paragraph five (5) hereof;
(*d*) The small arms, small arms ammunition and other items described in paragraph 3(*b*) hereof.

2. As used in this order, Border Points will be understood to be as follows; all points inclusive; the cities of Galveston and Houston; Atchison Topeka and Santa Fe—Rincon and points south and west; El Paso and Southwestern—Alamo Gordo and points south and west; Texas and Pacific—Pecos and points west; Southern Pacific—Yuma to El Paso and all points south. In addition all points on and south and west of a line following the Southern Pacific from El Paso to San Antonio and the San Antonio and Aransas Pass from San Antonio to Corpus Christi.

3. (*a*) Among the arms and munitions of war referred to are included the following: artillery of all calibers and ammunition therefor, machine guns, automatic rifles, grenades and bombs.

(*b*) This embargo does not include small arms, such as shot guns, rifles, revolvers, and pistols; small arms ammunition; dynamite, blasting powder and other high explosives used for industrial purposes, and fuses or caps for firing same.

4. Local persons, firms, or corporations desiring shipments of embargoed articles made to them at border points, as defined in paragraph two (2), will apply to the commander of the military forces at the nearest one of the following points; San Antonio, Brownsville, Laredo, Eagle Pass, Del Rio, Marfa, El Paso, Columbus, Douglas, Nogales and Yuma.

Such commander is authorized to approve these requests when, in his judgment, such arms and other munitions are not to be used for purposes inconsistent with the purpose of these restrictions. When his approval is obtained; it should be forwarded to the shipper for file with the bill of lading, as authority for the railroad to transport the property in question.

5. Persons, firms or corporations having authority from the War Department to ship to border points arms or munitions described in paragraph 3(*a*) will furnish the shipper a copy of such authority for file with the bill of lading covering the same. Persons, firms or corporations having authority from the Secretary of State to export arms or munitions into Mexico will furnish the shipper a copy of such authority for file with the bill of lading covering the same.

6. Agents in billing shipments of arms and munitions as above described to border points or into Mexico, which have been properly authorized, will, for information of intermediate roads, place notation on waybill accompanying shipment, to the effect that authority from the War or State Departments, respectively, authorizing shipment, is on file at the office at point of origin.

In order to conform to the foregoing restrictions, effective at once, an amended embargo should be issued by each road to its own employees, and to its assigned short line railroads.

W. L. Barnes, *Executive Manager*

TERMINATION OF THE MEXICAN CASE AGAINST WILLIAM O. JENKINS, CONSULAR AGENT AT PUEBLA[77]

125.61383 J 41/33

The Secretary of State to the Chargé in Mexico (Summerlin)

No. 1254 Washington, *January 17, 1920.*

Sir: I am in receipt of your despatch No. 2738, of January 7, 1920,[78] regarding the Jenkins case, and enclosing a copy of a despatch dated January 1, from Consular Agent Jenkins, in which he states that, in his opinion, there will be considerable delay in bringing

[77] For previous correspondence relating to this case, see *Foreign Relations*, 1919, vol. II, pp. 578 ff.

[78] Not printed.

the case to a settlement. Mr. Jenkins makes inquiry as to what steps he should take to obtain reimbursement of the financial losses suffered by him as a consequence of his recent abduction.

In reply you are instructed to ascertain and report definitely what are Mr. Jenkins' views with respect to the matter of reimbursement.

I am [etc.]

For the Secretary of State:
ALVEY A. ADEE

125.61383 J 41/36a : Telegram

The Acting Secretary of State to the Chargé in Mexico (Summerlin)

WASHINGTON, *January 24, 1920—4 p.m.*

23. News item appearing in local press January 22nd with Mexico City date line quotes Sub-secretary of Foreign Relations as having announced the Jenkins' case satisfactorily settled. Investigate and report by telegraph.

POLK

125.61383 J 41/37 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *January 27, 1920—2 p.m.*
[Received 7 p.m.]

15. Department's telegram number 23 January 24th 4 p.m. As reported in Embassy's despatch number 2798 January 21st,[79] local press of 21st instant published interview with Acting Secretary of Foreign Affairs to the effect that although he is not in possession of precise information of the present status of the judicial investigation in the Jenkins case, nevertheless he is of the opinion that all international difficulties growing out of the case have terminated.

SUMMERLIN

125.61383 J 41/49

The Chargé in Mexico (Summerlin) to the Secretary of State

No. 2836 MEXICO, *February 2, 1920.*
[Received February 13.]

SIR: With reference to the Embassy's telegram No. 21, of February 2, 4 p.m.,[79] I have the honor to transmit, herewith, copy and translation of Foreign Office Note No. 50, of January 30, 1920, re-

[79] Not printed.

ceived to-day, stating that the Mexican Government declines to issue an exequatur in favor of Mr. William O. Jenkins as American Consular Agent at Puebla, and that the provisional authorization issued to him is no longer in effect.

I have [etc.] GEORGE T. SUMMERLIN

[Enclosure—Translation]

The Mexican Acting Secretary for Foreign Affairs (Medina) to the American Chargé (Summerlin)

No. 50 MEXICO, *January 30, 1920.*

MR. CHARGÉ D'AFFAIRES: The Government of the United Mexican States, in view of private reports on the personality of Mr. William O. Jenkins, rendered by the authorities of the State of Puebla, finds itself in the painful necessity of stating to you that it is not possible for it to issue to him the Exequatur as Consular Agent of the United States of America in the city of Puebla, as requested by that Embassy in Note number 272, dated March 18, 1918.

I must also inform you that, by direction of the President of the Republic, the provisional authorization issued by the Mexican Government under date of March 12, last year, to Mr. Jenkins, to perform provisionally the duties assigned to him, is no longer in effect.

In view of the foregoing, I take the liberty of returning to you the Commission of the said Mr. Williams O. Jenkins.

Accept [etc.] H. MEDINA

125.61383 J 41/48

The Chargé in Mexico (Summerlin) to the Secretary of State

No. 2848 MEXICO, *February 4, 1920.*
[Received February 13.]

SIR: With reference to the Department's instruction No. 1254 of January 17, regarding the inquiry of American Consular Agent William O. Jenkins as to what steps he should take to obtain reimbursement of the financial losses suffered by him as a consequence of his recent abduction by Mexican rebels, I have the honor to enclose, herewith, a copy of Mr. Jenkins' letter of the first instant, addressed to me, in which he makes definite report as to his views with respect to the matter of reimbursement.

Attention is invited to Mr. Jenkins' statement on page three of the enclosed copy of his letter to the effect that final decision of his case may be delayed indefinitely pending a second reference to the

Federal Supreme Court for a decision as to whether the State Criminal Judge has jurisdiction over the case. In this connection reference is made to my despatch No. 2147 [*2836*], of the second instant, concerning the refusal of the Mexican Government to issue an exequatur to Mr. Jenkins.

I have [etc.] GEORGE T. SUMMERLIN

[Enclosure]

The Consular Agent at Puebla (Jenkins) to the Chargé in Mexico (Summerlin)

PUEBLA, *February 1, 1920.*

DEAR SIR: I have the honor to reply to yours of the 31st ult., asking for my definite views as regards reimbursement for financial loss suffered on account of my recent abduction from this city by Mexican Rebels, and beg to advise you, that it is my desire to be reimbursed financially not only for the sum of Three Hundred Thousand Pesos Mexican gold that I have paid for my ransom, and for the loss of money taken from my safe on the night of Oct. 19th. 1919, when I was abducted, but for all expenses incurred on account of this incident, and in addition to that, a fair and equitable recompensation for all damages arising from this matter, for the persecution of the local authorities to which I have been subjected, for my imprisonment, my loss of time from my work, and in short, for any and all damages that I have received from the matter. This is my attitude as regards the matter in a general way.

I am aware of the fact that indemnization for damages suffered on account of imprisonment, etc. etc. will probably be a matter for a claim against the Mexican Government, to be settled together with other claims against it, and I am willing to leave that in abeyance until such time as is convenient to take it up, but I do not consider that the ransom that I was compelled to pay should be subject to such delay, nor does it appear to me to be unreasonable that I be reimbursed for actual financial loss incurred, that is to say, the loss of money in cash from my safe, and actual expenses paid out in cash on account of the matter.

It is possible that the Department will consider that my loss on account of the robbery should also be considered as a claim against the Government (Mexican) to be settled with other claims, as well as expenses incurred, and if such is the attitude of the Department, I would be willing to accept that position, and file my claim against the Mexican Government for this loss and expense.

But as regards the ransom paid of the equivalent of One Hundred and Fifty Thousand dollars U. S. Cy., I beg to say that I do not

believe this should be subjected to any delay as regards my reimbursement, but should be returned to me immediately, as I have lost this money only and exclusively on account of the fact that I happened to be the Representative of the U.S. Government in this city, and not as an American citizen resident in Mexico. I could even go further and say, in view of information that has recently come to light, that my own abduction was a second thought on the part of the Rebels, and that I was taken in place of another official whose abduction would have caused a tremendous sensation, and whose ransom, I have no doubt, would have been paid immediately.

I believe that you will agree with me therefore, that my own connection with this incident is due exclusively to my representation of the United States Government, and therefore my financial loss is of course due to the same thing. And this being the case, I believe that I am only asking something entirely reasonable, when I ask that the United States Government reimburse me for this loss and not have me make an ordinary claim against the Mexican Government for this particular part of my loss, which will be settled at some indefinite date. As a matter of fact, it seems reasonable that I be reimbursed immediately for all financial loss suffered, including the robbery and expenses, but in any case, the ransom paid seems beyond question.

If I did not have the assurance that the Embassy, as well as my Government, are perfectly convinced of my complete innocence of any complication in this affair, as the local authorities have tried to insinuate, I would not ask this reimbursement for the present, but as this case is likely to be drawn out indefinitely, and as I have made certain obligations to enable me to pay off the ransom without more delay, I feel that I should be given assistance in liquidating these obligations, and not be forced to make sacrifices in selling property at half its value to secure this money.

It is well to call attention to the fact that the local authorities have never formed any direct accusation against me for complication in the abduction, as their only charge, which they have tried to prove, has been false declarations. It is understood of course that if I am guilty of declaring falsely, they would immediately find me guilty of other charges, but the point that I wish to make was, that up to the present, the only evidence presented has been with the purpose of proving my false declarations.

The case is now being held up on account of the local judge refusing to turn it over to the Federal Judge, and will be sent to the Supreme Court of the Nation for decision as to which judge is competent, and may be delayed for many months, or indefinitely. And seeing this delay inevitable, has induced me to ask for reimbursement without further delay.

As I have told you personally, I have received several letters from my Representative in Congress, Hon. E. L. Davis of Tennessee, with regard to the matter of this reimbursement, and he has advised me that in an interview with the Secretary of State, Mr. Lansing told him that he was not sure that the State Department would be able to directly effect any reimbursement, as there might not be any funds available for such a purpose, but if it was necessary, that a special act of Congress could be enacted, and that he (Mr. Lansing) would be glad to assist in the framing of such an act. I feel therefore that there is a good disposition on the part of the Department to assist me in this matter, and will await their ideas on the subject with much interest.

I am [etc.] W. O. JENKINS

125.61383 J 41/43 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *February 9, 1920—11 a.m.*
[Received February 10—3:57 a.m.]

33. Jenkins case. The local papers today feature a lengthy and apparently inspired interview with Attorney General Mitchell of Puebla to the effect that it has been proven that Jenkins was not abducted, that there is no doubt but that he soon will be convicted by the Puebla State Criminal Court of,

1, Rebellion, in that he supplied the rebels with money and ammunition;
2, Attempted fraud, in that he pretends that the Mexican Government should refund his ransom and the money he claims was stolen from his safe;
3, Perjury;
4, Theatening and bribing peons to deceive the Mexican Government; and
5, Contempt of judicial authorities;

and that he will be sentenced to a long period of imprisonment in the penitentiary and will not be expelled from the country as reported.

Continuing, Attorney General Mitchell accused the Embassy of bad faith and of attempting to deceive the Mexican authorities by furnishing them an "invented" copy of a letter which Jenkins wrote his wife during his abduction from which the following paragraph was omitted:

"The Puebla newspapers say that bandits have abducted me; it would be better to say they were rebels in order that the responsibility of the Mexican Government may be greater."

This is an imperfect quotation from Jenkins second letter to his wife which was opened and read on October 22 last in the Foreign Office in the presence of the Acting Secretary of Foreign Affairs and Jenkins representative; it was then given to the latter with the understanding that it would be delivered to Mitchell when called for subsequently.

I am reliably informed that Mitchell had a 2 hour conference with the Acting Minister for Foreign Affairs day before yesterday and gave this interview to the press yesterday.

SUMMERLIN

125.61383 J 41/43 : Telegram

The Secretary of State to the Chargé in Mexico (Summerlin)

WASHINGTON, *February 10, 1920—6 p.m.*

42. Your 33, February 9, 11 A.M., Jenkins' case. You are instructed to call upon the Acting Secretary of Foreign Affairs immediately, and request that an explanation be given of Attorney General Mitchell's accusation that the Embassy has attempted to deceive the Mexican authorities.

You will also suggest to the Foreign Office the expediency of making public without delay an authoritative statement clearing the Embassy of Mitchell's imputation of bad faith.

LANSING

125.61383 J 41/51 : Telegram

The Chargé in Mexico (Summerlin) to the Acting Secretary of State

MEXICO, *February 17, 1920—4 p.m.*

[Received 11:27 p.m.]

45. Jenkins case. Department's telegram number 42, February 10, 6 p.m.

I have just received the following memorandum from the Foreign Office dated February 10, accompanied by a *note verbale* dated February 16.

"The Mexican Government has made a most careful investigation based on a memorandum presented by the Chargé d'Affaires of the United States of America which refers to the accusation that is made against certain authorities of the State of Puebla, to the effect that the evidence, which is adverse to the Consular Agent of this country, Mister William O. Jenkins, was obtained through violence of the wit-

nesses to secure evidence from them in the sense desired, and the result of such investigation leads to the affirmation that the said accusation is absolutely without foundation."

A copy of my memorandum, referred to above, was furnished the Department as attachment the [*to?*] enclosure 2 of Embassy's despatch number 2601 dated November 19 last and proof of the accusation made in that memorandum was furnished the Department in enclosures 7 and 8 the [*to?*] Embassy's despatch number 2622 of last November 26, attachment 1 the [*to?*] enclosure 8 of Embassy's despatch number 2635 of December 3 last and attachments 3 and 4 to enclosure 1 of Embassy's despatch number 2649 of December 10 last.[81]

SUMMERLIN

125.61383 J 41/55 : Telegram

The Chargé in Mexico (Summerlin) to the Acting Secretary of State

MEXICO, *February 22, 1920—4 p.m.*
[Received 8:50 p.m.]

52. Department's telegram 42, February 10, 6 p.m. and my 41, February 12, 4 p.m.[82] Following is translation of Foreign Office note dated 20th instant and received this morning.

"I have the honor to refer to your courteous note number 1698 of the 12th instant in which you inform me that you have received instructions from your Government to request an explanation of the statements of the Attorney General of the State of Puebla, Mr. Mitchell, which the press published on the 9th instant relative to the Embassy, under your worthy charge, having attempted to deceive the Mexican authorities.

In reply, permit me to declare that the office which Mr. Mitchell occupies in the State of Puebla is not of sufficient importance to admit of his words being considered authoritative to reflect the opinions of the Government of the Republic. Very recently a person whose word is truly authoritative because of political significance (I refer to Senator Albert B. Fall) permitted himself in the United States to impute to the Mexican Embassy in Washington and to the consul general in New York the charge that both dependencies of this Government are making radical socialistic propaganda, and nevertheless the Embassy as well as the consul did nothing more than publicly deny the charge made against them and the incident did not give rise to diplomatic representations. In the opinion of the Mexican Government the good relations between neighboring countries should not be affected by the free statement of a public official's personal ideas which do not officially represent the opinion of his Government.

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[81] None of the correspondence referred to is printed.
[82] Latter not printed.

Nevertheless, as an indication of the solicitude with which the Mexican Government views the incident under consideration permit me to inform you that there would be no objection to publishing your note to which I reply as well as this answering note."

SUMMERLIN

125.61383 J 41/55 : Telegram

The Acting Secretary of State to the Chargé in Mexico (Summerlin)

WASHINGTON, *March 3, 1920—5 p.m.*

73. Your 52, February 22, 4 P.M.

You are instructed to express this Government's satisfaction at Mexican Government's disavowal of interview of Attorney General Mitchell published in Mexican press of February 9, in view of which disavowal this Government considers this incident closed.

POLK

125.61383 J 41/64 : Telegram

The Chargé in Mexico (Summerlin) to the Secretary of State

MEXICO, *June 29, 1920—4 p.m.*
[Received 11:11 p.m.]

311. Local press to-day states that, in a renewed investigation of the Jenkins case in Puebla, a number of peon witnesses testified that their original testimony, damaging to Jenkins, was false and was extorted under torture and threats of death, and Cordova, now a general in the Army, testified that he alone is responsible for the abduction.

SUMMERLIN

125.61383 J 41/70

The Chargé in Mexico (Summerlin) to the Secretary of State

No. 3318 MEXICO, *August 14, 1920.*
[Received August 26.]

SIR: With reference to the Jenkins Case, I have the honor to report that the Mexican Supreme Court decided, on August 12, that the District Judge of Puebla has jurisdiction in this case. I am informed by Mr. Jenkins' lawyer that the proceedings in the case should be transferred immediately to the District Court, and that he expects an early and favorable decision in the matter.

In this connection I enclose copy of a letter from Mr. Jenkins, dated August 11, in which he reports that he has finally secured a certified copy of the recent evidence in the case referred to in my despatches No. 3224 of June 30, 1920, and No. 3275 of July 27, 1920.[83]

A further report on this evidence will be submitted as soon as the certified copy thereof is furnished the Embassy.

I have [etc.] GEORGE T. SUMMERLIN

125.61383 J 41/75 : Telegram

The Chargé in Mexico (Summerlin) to the Acting Secretary of State

MEXICO, *December 4, 1920—4 p.m.*

[Received 9:03 p.m.]

468. The following telegram has been received from Consular Agent Jenkins at Puebla dated today:

"Federal Judge rendered decision in my case this morning declaring that all proof against me had disappeared and placing me in liberty canceling my bond. I have certified copy of his decision which I will deliver to you Monday."

SUMMERLIN

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[83] Letter and despatches not printed.

NETHERLANDS

PETROLEUM EXPLOITATION IN THE DUTCH EAST INDIES

Representations by the United States against the Discriminatory Effect of New Petroleum Legislation—Intimation by the United States That the Retaliatory Provisions of the Act of February 25, 1920, Would Be Enforced against the Citizens of the Netherlands and Other Non-Reciprocating Countries

856d.6363/1

The Consul at Batavia (Jewell) to the Secretary of State

No. 254 BATAVIA, *January 27, 1920.*
[Received March 23.]

SIR: I have the honor to enclose herewith, in quadruplicate, a report on "Mineral Oil Concessions and Rights in Netherlands India," which, it is believed, should have the Department's most careful consideration.

I have [etc.] J. F. JEWELL

[Enclosure]

Report on Mineral Oil Concessions and Rights in Netherland India

PRODUCTION

The following statistics give the production of mineral oil in Netherlands India for the last five years for which this data is available (1914–1918 inclusive):

1914	1,569,288	tons of Kg. 1000
1915	1,598,442	" " " "
1916	1,730,184	" " " "
1917	1,605,610	" " " "
1918	1,706,675	" " " "

The year 1919 is expected to be about as 1918.

The bulk of the production is virtually in the hands of one powerful Dutch organization, either directly or indirectly, known as the Bataafsche Petroleum Maatschappij in Sumatra and Borneo, and as the Dordtsche Petroleum Maatschappij in Java. Four large organizations, the Petroleum Maatschappij Gaboes, the Koninklijke Nederland Maatschappij tot Exploitatie van Petroleumbronnen in

Nederlandsch Indie, the Exploitatie Maatschappij Nederland, and the Perlak Petroleum Maatschappij, which all appear as large producers in the "*Jaarboek van Het Mijnwezen in Nederlandsch Oost-Indie*" (The Year Book in Mining in Netherlands East India), published by the Bureau of Mines for the Colony, are either subsidiaries or tied up so firmly with the Bataafsche Petroleum Maatschappij by contracts as to warrant their being considered one and the same company.

The Old Mining Law

Prior to 1912, mineral oil concessions were granted in Netherlands India under what is termed the "Old Mining Law". Under its provisions, individuals or companies could apply for a permit valid for five years from the date of issuance to prospect for oil, gas and related commodities. If oil or gas were found in "commercial quantities", the owner had a right to apply for a seventy-five (75) years concession.

The New Mining Law, Effective in 1917

In 1912, it was decided to change the above-stated law and no new permits were to be granted under its provisions until further instruction. It is believed that this was embodied in a General Confidential Order to all governing Residents of Netherlands India in June 1913. It was not until 1917 that the new mining law went into effect; hence, the period from 1912–1917 was one when development was at a standstill, when the old law was suspended and void, and when the new law had not come into effect. The law of 1917 provides for the granting of prospecting permits but with the stipulation that the Netherlands India Government has the right to take over for itself any territories covered by these permits which it may deem valuable, and merely idemnify the prospectors for the actual outlay of capital expended in development.

Results of the Mining Laws on the Development of Mineral Oil Concessions

The old mining law gave a fair opportunity to foreign enterprise, at least in theory, to become concessionaires. The important step was to obtain a research permit, and it was understood that a seventy-five (75) year concession would follow upon application to the authorities at the proper time in case oil or gas were found. The difficulty was more in obtaining the right to prospect than in securing the concessions which might arise therefrom, rights which were seldom denied by the Government.

From 1912–1919, as previously stated, marks a period of arrested progress in the development of mineral oil concessions in Netherlands India. The present system is nothing more or less than a method for discovering profitable sources of wealth, which the Government takes over at cost upon report of its own geologists. If the results of prospecting and preliminary development prove a perimeter to be of doubtful value, it is not worth applying for as a concession and the expenses are a dead loss to the capitalists who have undertaken exploitation; if prospects are encouraging, the lands on which oil or gas has been discovered in substantial quantities are declared "Government Reserved Territory". Even before the law of 1917 went into effect, the Colonial Government refused many exploitation or prospecting permits, reserving the lands they were designed to cover for government development in the future. As a result of this severe law and the policy immediately preceding, practically no new permits have been applied for [since] 1912. The slight increase in production, indicated in the statistics above given, is a result of the more intensive development of existing concessions, principally of the Bataafsche Petroleum Maatschappij.

Another result of the mining policy of the Government of Netherlands India is illustrated in the well-known Djambi Oil Concessions of Central Sumatra, considered as the most valuable mineral oil fields in the whole Colony. In 1913, tenders were invited from various operating companies for exploiting the Djambi area, and the Petroleum Maatschappij Zuid-Perlak was favorably reported on by the Ministry for the Colonies at The Hague on the ground that it was the highest bidder. Later, this company was discredited, a bid from the Bataafsche Petroleum Maatschappij was set aside, and the Netherlands Government took upon itself the operation and development of these fields. Although this was some years ago, practically nothing has been done and this valuable perimeter is non-producing to-day.

The "Nederland Koloniale Petroleum Maatschappij"

This organization is a powerful company, registered as a Dutch concern, in which American capital is largely interested. A history of its attempts to secure oil concessions in Netherlands India is a faithful "*exposé*" of the difficulties which have been placed in the way of prospective foreign concessionaires. The Nederland Koloniale Petroleum Maatschappij was organized in 1910 under Dutch law, as it was felt that this was the most advantageous way to operate in this Colony. It would appear that the advent of this company into Netherlands India had considerable influence in deciding the Colonial Authorities to change the law of 1912 for stricter meas-

ares. At that time, foreign investment was not encouraged, in fact, it was viewed with suspicion; moreover, the Bataafsche Petroleum Maatschappij had already a large producing territory, subject to more intensive exploitation; consequently, its development, that of a Dutch company, would not be materially retarded. The result has been that the Nederland Koloniale Petroleum Maatschappij has been forced to seek permits granted under the old mining law from third parties, paying bonus and royalty for the same. The permits secured have usually been for abandoned perimeters or perimeters considered commercially valueless. After almost ten years of activity in the field, this company holds but a few of the less desirable concessions in the Residency of Rembang, Java, yielding about thirty tons per diem for six wells under exploitation. It has no incentive to endeavor to secure prospecting permits for new fields, as valuable wells would undoubtedly be made a part of the "Government Reserve."

Conclusions

Such is the mining situation for prospecting and developing oil and gas concessions in Netherlands India to-day. It means that new enterprise is stifled, that foreign, and incidentally American capital, is made to work under most disadvantageous conditions, and that unless the law of 1917, as applied, is altered, American vested financial interest and other financial interests which may want to establish themselves in this Colony have nothing to look forward to.

In view of the "vital importance of securing adequate supplies of mineral oil both for present and future needs of the United States" (Department's Instruction of August 16, 1919 on "Mineral Oil Concessions and Rights"[1]), attention is invited to the advisability of taking strong action to bring about a favorable change in what appears to be intolerable conditions governing the granting of mineral oil concessions in Netherlands India. These conditions are in marked contrast with our own lenient State Regulations which grant equal opportunity to all, regardless of nationality. In view of the manifest desire of the Dutch East Indies to find a profitable outlet for its produce in the United States since the European War, it is believed that the present moment would be opportune for approaching diplomatically the Netherlands Government with a view to restoring the "Old Mining Law" in force up to 1912, or in obtaining special guarantees and privileges for American capital which is already established or which may seek investment in Netherlands India.

[1] Not printed.

856d.6363/1

The Secretary of State to the Chargé in the Netherlands (Gunther)

No. 1162 WASHINGTON, *April 3, 1920.*

SIR: There is transmitted herewith a despatch with an accompanying report dated January 27, 1920 from the American Consul at Batavia, Java, on Mineral Oil Concessions and Rights in Netherlands India.[2] Your attention is particularly called to the Consul's statements regarding the injurious effect of the administration of the laws of Netherlands India on investments of foreign capital and especially the experience of the "Nederland Koloniale Petroleum Maatschappij," a Dutch company in which American capital is largely interested, and to the Consul's suggestion that in view of the manifest desire of the Dutch East Indies to find a profitable outlet for its produce in the United States since the European War, it is believed that the present moment would be opportune for approaching diplomatically the Netherlands Government with a view to restoring the "Old Mining Law" in force up to 1912, or in obtaining special guarantees and privileges for American capital which is already established or which may seek investment in Netherlands India.

With reference to laws affecting petroleum development in the United States, you are informed that in general there do not appear to be any provisions the effect of which has been to exclude foreign capital from participation in the development of the petroleum resources of the United States. There are apparently, in certain states, legal provisions the apparent effect of which would be to restrict the ownership of land to citizens of the United States; but it would seem that a company incorporated in the United States, even if controlled by aliens, would not be excluded by such provisions from the ownership of mineral properties. The Royal Dutch-Shell group, an amalgamation of a Dutch and a British Company, in which, it is reported, sixty per cent of the shares are held by the Royal Dutch Petroleum Company which is a Dutch corporation although apparently controlled by the British, has subsidiary companies which own and operate petroleum properties in the United States. An Act to promote the mining of coal, phosphate, oil, gas, and sodium on the public domain, the so-called Public Lands Leasing Bill which has recently become a law, contains the following provisions:

"That deposits of coal, phosphate, sodium, oil, oil shale, or gas, and lands containing such deposits owned by the United States . . . shall be subject to disposition in the form and manner provided by this

[2] Both printed, *supra*.

Act to citizens of the United States, or to any association of such citizens, or to any corporation organized under the laws of the United States, or of any State or Territory thereof, and in case of coal, oil, oil shale, or gas, to municipalities . . . And provided further, that citizens of another country, the laws, customs, or regulations of which, deny similar or like privileges to citizens or corporations of this country, shall not by stock ownership, stock holding, or stock control, own any interest in any lease acquired under the provisions of this Act." [3]

You are requested to transmit to the Department, as early as possible, your views in detail regarding the advisability of making representations to the Government of the Netherlands with reference to its petroleum policy in Netherlands India, commenting freely on the facts and suggestions contained in the report of the Consul at Batavia and submitting any other information or considerations that you may have derived from your observations of conditions and feeling in the Netherlands. It is suggested that the purpose of these representations, if any are considered advisable, should be to cause the Government of the Netherlands to understand that its policy with reference to the petroleum resources of Netherlands India is a matter of concern to this Government; that it is the view of this Government that this policy, so far as it is revealed and understood, is apparently in many respects antagonistic to the principle of reciprocity, which, it is believed, should, so far as possible, govern the economic relations of the United States and the Netherlands with reference to access to raw materials; that this policy tends to bring about inequality of treatment in colonial possessions; and that a probable effect of this policy is a movement for retaliation in this country. You are requested especially to inform the Department fully regarding any commercial or other considerations that might influence the Government of the Netherlands to take a favorable attitude with respect to the modification of its petroleum regulations.

An expression of your views is also desired with reference to certain suggestions that have been made in the United States. The Board of Directors of the American Petroleum Institute adopted on September 27, 1919, the following resolution:

"That American companies operating, or desiring to operate, in foreign countries, should receive privileges similar to those enjoyed in the United States by companies or citizens of such foreign countries, and that effective steps to that end should be taken through diplomatic channels."

An officer of the Bureau of Mines of the Department of the Interior has suggested that if diplomatic representations and other ready means are unsuccessful, companies organized or controlled

[3] 41 Stat. 437.

in countries in which American companies are not permitted to acquire, own, or operate oil-producing properties should be prohibited from acquiring, owning and operating such properties in the United States, or its possessions. A Board of Geologists has reported to the Secretary of the Interior that, in their opinion, the United States Government should assure to our nationals the exclusive opportunity to explore, develop, and market the oil resources of the Philippine Islands, provided discriminatory policies of other nations against our nationals are not abandoned or satisfactorily modified. For your further information there is enclosed a copy of a bill [3] introduced into the Senate on October 30, 1919.

I am [etc.]

For the Secretary of State:
ALVEY A. ADEE

856d.6363/2

The Secretary of State to the Minister in the Netherlands (Phillips)

No. 6 WASHINGTON, *April 24, 1920.*

SIR: Referring to the Department's despatch No. 1162 of April 3, 1920, transmitting a copy of a report from the American Consul at Batavia, dated January 27, 1920, on mineral oil concessions and rights in Netherlands India, and requesting an expression of your views regarding the advisability of making representations to the Netherlands Government on the subject, there is transmitted herewith a copy of a despatch from the American Consulate General at Rotterdam, dated March 25, 1920,[3] on oil concessions in the Dutch East Indies.

It is understood that the proposed legislation, referred to in the despatch from the Consulate General, provides for the organization of a company, to be known as the "Djambi Aardolie Maatschappij", which is to be controlled by citizens of the Netherlands and which is to be granted the exclusive right to exploit the petroleum resources of an area in the island of Sumatra of approximately one-third of the Djambi Residency. This region is apparently in central Sumatra which was referred to on page four of the report of the Consul at Batavia as "the most valuable mineral oil fields in the whole Colony". This proposed legislation is believed to be a further manifestation of a policy the effect of which has been to exclude American citizens from petroleum development in the Netherlands East Indies and incidentally to retard the production of petroleum in those regions.

If the States-General take under consideration the proposed legislation, or any other legislation the effect of which will be to give

[3] Not printed.

interests other than American exclusive privileges with respect to petroleum development in any part of the Netherlands East Indies, you are instructed to inform the Department at once by means of a cipher telegram. If the enactment of such legislation seems to you to be imminent, or if, in your opinion, delay will increase the possibility of its enactment, you are instructed to make representations to the Netherlands Government, basing your representations on the facts and considerations embodied in the Department's previous despatch, the report from the Consul at Batavia, and the despatch from the Consul General at Rotterdam. It is suggested, however, that it may be possible by informal conversations with officials of the Netherlands Government to convey effectively the views of this Government regarding such legislation and possibly to obtain such a relaxation of the restrictions now operative in the Netherlands East Indies as to make further diplomatic action unnecessary. It is essential that the Department should be kept fully and promptly informed regarding any proposals of legislation affecting in any way the participation of American citizens in the petroleum resources of the Netherlands East Indies.

I ah [etc.]

For the Secretary of State:
ALVEY A. ADEE

856d.6363/3 : Telegram

The Minister in the Netherlands (Phillips) to the Secretary of State

THE HAGUE, *June 5, 1920—1 p.m.*
[Received 6:19 p.m.]

105. Department's despatches 1162 and 6 April 3d and 24 regarding mineral oil concessions and rights in Netherlands India. I have had informal talks with Minister for Foreign Affairs and head of economic section of Foreign Office neither of whom however seemed thoroughly acquainted with situation but promised me full information. No law apparently exists which operates against Americans as such. The old law was repealed in 1912 because of a socialist demand that the Government reserve to itself oil development. It is admitted here that the new legislation works against the interests of both Dutch and foreign capital and is unsatisfactory to all concerned. . . .

It is evidently important to secure some sort of guarantee from the Colonial authorities that American interests will receive equal treatment and I shall work on these lines unless otherwise instructed.

PHILLIPS

800.6363/146

The Netherland Chargé (De Beaufort) to the Secretary of State

WASHINGTON, *June 30, 1920.*

SIR: The attention of the Netherland Government has been drawn to the report, made under date of May 14th last by the Department of State to the Senate in response to Senate Resolution 331 and having reference to the prospecting, acquiring and developing of petroleum lands by citizens of the United States in countries other than the United States.

In this report, as published in Senate Document No. 272, 66th Congress 2nd Session, an extract is given from a consular report from Soerabaya, Dutch East Indies, containing statements which require, in the opinion of the Netherland Government, some correction and amplification in order to be in full accordance with that Government's attitude with regard to petroleum mining in the Dutch East Indies.

Acting upon instructions received from the Government at The Hague I have therefore the honour to inform you that article 28 of the Netherland East-Indian Mining Law of 1899, as lastly amended in 1918, stipulates that no concessions are henceforth given for the prospecting etcetera of oil and other bituminous products in the Netherland East Indies but that the Netherland East-Indian Government will either themselves develop the deposits in question or else do so by contract with persons or private companies, having previously obtained legal authorization to do so. By such contracts the persons or companies concerned undertake for a definite period of time to prospect for oil or to develop its production or both on a definite section of land.

The natural persons with whom such contracts can be made are by law required to be Netherland subjects or else to reside in the Netherlands or the Netherland East Indies.

The companies with which this can be done must be incorporated either in the Netherlands or in the Netherland East Indies and must further comply with the provisions of the mining law above cited. According to one of these provisions the majority of the managing and directing boards are to be Netherland subjects or residents of the Netherland East Indies. No limitation, however, is put upon the ownership, the holding, or the control of the stock of such companies.

The transfer to others, by such persons or companies, of the rights and duties, by them acquired through these contracts, can only take place with the full approval of the Dutch East-Indian Government.

Another provision of the law secures for the Dutch East-Indian Government the possibility of stipulating in such contracts the pro-

portion by which they wish to take part in the capital of the company, the fixed contributions which will be due to them according to the value of the amounts of mineral actually produced and a measure of participation in the direction of the company.

From the above it will be seen that American citizens have with respect to the law the same facilities as Netherland subjects to obtain the contracts in question provided they adopt the form of a Netherland or Netherland East-Indian Company.

In conclusion I venture to add that I should be much obliged if the above could be communicated to the authority with whom rest the enactments under the provisions of the Act to promote the mining of coal, phosphate, oil, gas, and sodium (Public Law No. 146).[5]

Please accept [etc.] W. DE BEAUFORT

856d.6363/9, 60

The Netherland Minister for Foreign Affairs (van Karnebeek) to the American Minister (Phillips)[6]

[Translation]

THE HAGUE, *June 30, 1920.*

MR. MINISTER: By a letter dated June 5 last, no. 33, Your Excellency was good enough to ask for certain information relative to the exploration of petroleum fields in the Netherland Indies by foreigners.

I have the honor to forward herewith to Your Excellency a note drafted in the Royal Ministry for the Colonies and I permit myself to refer to its contents.

Accept [etc.] VAN KARNEBEEK

[Enclosure—Translation]

Pending amendment of the Indian Mining Act, which was under consideration, to the effect that no further concessions for the extraction of petroleum and coal should be issued on the basis of that act, the Indian Government, after consultation with the then Minister of Colonies, in April 1913, had a notification sent by the Chief of the Bureau of Mines (who, according to the Mining Order, must be consulted by the heads of the local administrations on all questions regarding permission for prospecting for minerals) to the heads of

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[5] 41 Stat. 437.

[6] A translation of this note with its enclosure was forwarded to the Department by the Minister in the Netherlands in his despatch no. 198, July 22, 1920 (file no. 856d.6363/9); not printed. The translation here printed has been prepared by the editor from the Dutch text published in the Netherland Orange Book, *Mededeelingen van den Minister van Buitenlandsche Zaken aan de Staten-Generaal Mei 1920 tot Mei 1921* (file no. 856d.6363/60).

administrations just named, to keep all applications for prospecting permits under consideration until further notice, unless the existence of oil and coal was considered very unlikely.

It must be assumed that the American Minister refers to this by the words "the repeal in 1912 of the so-called 'old law'". Attention is also invited to the fact that that measure covered all applications, whether by Dutchmen or by foreigners, and that in the enforcement thereof no distinction has ever been made between the two categories.

This measure was removed after the passage of the act of July 20, 1918 (Official Gazette No. 466), by which the Indian Mining Act is amended to the effect that the discovery of petroleum, coal, or iodine by the holder of a prospecting permit no longer gives any right to a concession for the extraction of the substance.

Extraction of such a mineral can be effected only by the Government or, according to a so-called extraction agreement approved under the law, by persons or corporations complying with the requirements set forth in the first paragraph of article 4 of the Mining Act. Consequently a working of oil wells by individuals or private companies under the ordinary conditions of the Mining Act can no longer be considered, and this exclusion applies to Dutchmen quite as much as to foreigners. Besides, the right of individuals to claim permits for prospecting for these minerals is not curtailed; if prospecting leads to a discovery, the reward therefor is settled in each special case by the Governor General, in so far as no agreement has already been made.

The act makes no distinction of any kind between Dutchmen and foreigners with respect to the possibility of entering into extraction agreements and obtaining prospecting permits.

The Government must, from the nature of the matter, reserve to itself complete freedom with respect to the selection of the persons or companies which may be entrusted by the Government with the extraction of petroleum on the basis of an extraction agreement.

856d.6363/6 : Telegram

The Minister in the Netherlands (Phillips) to the Secretary of State

THE HAGUE, *July 7, 1920—3 p.m.*
[Received 11:30 p.m.]

157. Department's mail instruction 1162 and my telegram number 150, July 2nd [7] regarding oil situation Netherland Indies. For my

[7] Latter not printed.

own guidance in discussing the matter with the Foreign Office I should be glad to know whether the present policy of the Netherlands of "Government reserve" (which however when applied to exploitation agreements makes no apparent distinction between Dutch citizens and foreigners) is a cause for proper retaliation on our part inasmuch as the laws of the United States do not exclude foreigners from participation in the development of the petroleum resources of the United States. Please cable reply.

PHILLIPS

856d.6363/6 : Telegram

The Secretary of State to the Minister in the Netherlands (Phillips)

WASHINGTON, *July 17, 1920—6 p.m.*

493. Your telegram 157, July 7.

Your request is understood to refer, first, to action under the Public Lands Leasing Act or, second, to the general policy of the United States Government toward foreign oil restrictions.

1st. In a note of June 30, 1920, Netherlands Legation informed the Department that Dutch law provides that oil development shall henceforth be by the Government or by contract with Dutch subjects or residents of the Netherlands or Netherlands India or with companies incorporated in the Netherlands or Netherlands India. So far as the law is concerned, American citizens apparently have the same facilities as Dutch to obtain the contracts provided they incorporate as a Netherlands or Netherlands India company. The Public Lands Leasing Act restricts leases to American citizens and companies incorporated in the United States. Dutch law goes further, however, and provides that the majority of the managing board must be Dutch. There are some other restrictive provisions. Such restrictions are not applied by American law to foreigners and they undoubtedly operate to the exclusion of American capital from the Dutch East Indies. It is the view of the Department that the Netherlands has not accorded the same degree of freedom to American citizens that has been accorded to Netherlands nationals in the United States and that the Netherlands, therefore, has not granted reciprocal privileges. The administration of the Public Lands Leasing Act is in the Department of the Interior and it is impossible to say at present whether Dutch citizens will be excluded from leases in the United States. When this is known you will be informed.

2d. The Department is not prepared to say that the Netherlands policy would justify the enactment by Congress of retaliatory legislation or that retaliation is contemplated by this Government. It may be intimated to the Netherlands Government, however, that a strong public sentiment leaning toward retaliation exists in this country.

Copy of note from Netherlands Legation is going forward by mail.

COLBY

856d.6363/9

The Minister in the Netherlands (Phillips) to the Secretary of State

No. 198 THE HAGUE, *July 22, 1920.*

[Received August 11.]

SIR: With reference to the Department's telegraphic Instruction No. 493, of July 19 [*17*], 6:00 P.M., relative to the development of mineral oil in the Netherlands Indies, I have the honor to report that I have had a lengthy conference to-day with the Minister for Foreign Affairs on this subject. I explained to him that so far as the law is concerned citizens of the United States seem to have the same facilities as subjects of the Netherlands in obtaining contracts, provided that the Americans incorporate as a Dutch company. I pointed out that the Dutch laws contain certain restrictions against foreigners which are not applied by the American law against foreigners and that such regulations as a matter of fact operate against the participation of American capital in the development of oil in the Netherlands India, and I informed him of the view of the Department, as set forth in your Instruction under acknowledgment, to the effect that the Netherlands Government has not granted reciprocal privileges to American capital. I left with him a personal Note, a copy of which I have the honor to enclose herewith.[6] In communicating this Note, I called his attention at considerable length to the interest in this subject in the United States. I read to him that clause in the so-called Public Lands Leasing Bill, which you were good enough to send me in your Instruction No. 1162, of April 3, 1920; I also advised him of the adoption on September 27, 1919, of the Resolution of the Board of Directors of the American Petroleum Institute, which you also brought to my attention in your Instruction No. 1162; I pointed out the attitude of the Bureau of Mines of the De-

[6] Not printed.

partment of the Interior, and I concluded by saying that while I was not in a position to speak of the possible enactment of any retaliatory legislation on the part of the United States, I felt that he would wish to be advised that a strong public sentiment exists in the United States leaning towards retaliation.

M. van Karnebeek repeated what he has already told me—that American capital was sincerely desired in the development of this industry and others in the Netherlands and in the Netherlands Indies. He felt, however, that the situations of the United States and of the Netherlands respectively were wholly different: the United States was a great Power which easily could look after its own interests, whereas Holland was a small Power which had to be very careful in its dealings with foreign countries, especially within the colonial empire; otherwise its colonial possessions might pass under the political control of other Powers. He said that the reason for the regulations requiring the majority of a Managing Board of foreign capital to be Dutch was in order to make sure that the introduction of this foreign capital would not be used for political purposes. . . . "Of course," he said, "we have nothing to fear from America, but that does not mean that we have nothing to fear from others." M. van Karnebeek did not think that it was quite fair to expect reciprocal arrangements between Governments in all cases because conditions within two countries might be wholly different. In the United States there could be no fear of the exercise of political control by foreign capital, whereas in a smaller country like the Netherlands India there was such a danger always present. "Since conditions are so wholly different why therefore should regulations be the same?" he asked. He concluded by explaining that there was already more foreign than Dutch capital in the Netherlands Indies.

I am of the opinion that M. van Karnebeek is not in favor of recommending a change in the existing legislation in order that the restrictive provisions shall be removed. It is therefore important for me to be in a position to point out to him in detail the difficulties which American capital is having in its relations with the Colonial Authorities. Since M. van Karnebeek assures me that American capital in the development of oil is desired, I should be able to inform him of the actual conditions operating against the participation of American capital.

Please refer to my telegram No. 150, July 2, 3:00 P.M.[7] suggesting that the American Consular authorities in the Netherlands India might be able to offer practical suggestions in this connection.

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[7] Not printed.

I have the honor to enclose as well copies of previous correspondence [7] which I have had with the Minister for Foreign Affairs on this same subject. The substance of the Minister's reply of June 30th was cabled to you in my telegram No. 150, July 2d.[7]

I have [etc.] WILLIAM PHILLIPS

856d.6363/10 : Telegram

The Minister in the Netherlands (Phillips) to the Secretary of State

THE HAGUE, *August 12, 1920—6 p.m.*
[Received 8:12 p.m.]

212. Your telegram number 493, July 16th [*17th*], 6 p.m. Reply just received from Foreign Office to my note of July 22nd,[8] a copy of which was transmitted to the Department in my despatch 198, July 22nd, regarding oil situation in the Netherlands East Indies. Foreign Office refers to fact that mining law requires a majority of members of the administrative council and of the directors of an incorporated joint stock company to be of Dutch nationality or that they reside and have their domicile in the Dutch Indies. Nevertheless the Foreign Office says: "These regulations do not in any sense exclude the participation of foreign capital in the said enterprises." Furthermore, the note states: "The laws of the Dutch Indies contain no restriction relative to the shareholders of incorporated joint stock companies while the new American law does not permit subjects of other states to possess shares in an incorporated joint stock company established in the United States if the laws of the countries whose nationality they bear contain any restriction of whatever character in the above mentioned sense." The Foreign Office invites my attention to the foregoing in connection with my observation that: "In the view of the United States Government the Netherlands do not accord the same degree of freedom to American citizens as has been accorded in the United States to Dutch subjects." This reply seems somewhat argumentative in tone and as failing to grasp the fact that the discrimination is one-sided and does not originate on the American side.

I should be glad of your views before answering the communication.

PHILLIPS

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[7] Not printed.
[8] Note of July 22 not printed.

856d.6363/10 : Telegram

The Secretary of State to the Minister in the Netherlands (Phillips)

WASHINGTON, *August 18, 1920[—1 p.m.]*

535. Your telegram 212 August 12, 6 p.m.

You may defer answer to Foreign Office until you receive views of Department which will probably await further information from East Indies and from Secretary of Interior.

COLBY

856d.6363/12 : Telegram

The Minister in the Netherlands (Phillips) to the Secretary of State

THE HAGUE, *August 27, 1920—6 p.m.*

[Received 9 : 03 p.m.]

237. Your 535, August 18th, 1 p.m. The representative of an important oil corporation (not Standard Oil Company) is now in The Hague and through me is in touch with the Foreign Office concerning oil concessions in the Dutch East Indies, especially the Djambi concession. He informs me that because of the pressure which the Legation has already exercised the Foreign Office seem favorably disposed to grant American capital concessions in the Dutch East Indies, not only for oil but also in other fields, having in mind that in the event of foreign encroachment the Dutch East Indies might receive American support. He received the impression at the same time that the Djinbi [*Djambi*] concession had been promised to the Royal Dutch-Shell but that American capital could receive other concessions.

This, in the opinion of my informant, is not good enough because it is the Djambi concessions alone which offer good oil investment. He feels that if the Legation were in a position to adopt a really strong attitude to the effect that American capital should be allowed to participate in the Djambi concessions, the final agreement with the Royal Dutch not having been actually signed, it might still be possible for American capital to enter the field. The official in the Colonial Office who has the final authority is returning from his holiday in a few days and it is therefore of importance that I receive instructions immediately if I am to adopt such a position on behalf of American capital.

It is the representative of the Sinclair Consolidated Oil Corporation of New York who is referred to.

PHILLIPS

856d.6363/12 : Telegram

The Secretary of State to the Minister in the Netherlands (Phillips)

WASHINGTON, *September 4, 1920—5 p.m.*

555. Your 237 August 27 6 p.m.

You may informally state to the Netherlands Government that this Government's interest is in the recognition of the principle of mutual or reciprocal access to vital natural resources by nationals of this and foreign countries. This Government is frank in saying that it believes that the granting of concessions to a single company covering all the best areas of the Dutch West [*East?*] Indies can hardly fail to be construed, whether rightly or wrongly, as a measure of exclusion and would at least seem to compromise in that region the principle of equal opportunity which it is hoped may be a solution for the future oil problem throughout the world.

It is felt circumstances require this country to give close attention to the question of adequate petroleum supplies for its future needs. At present the best estimates obtainable show the United States possesses approximately 12% of the natural petroleum resources of the world, while on the other hand its current annual needs approximate 70% of the world's annual supply. In an industrial nation such as the United States, where distance renders transportation difficult and agriculture largely depends on labor saving devices using petroleum products, ample supplies of petroleum are indispensable. Employment of motor conveyances has become a factor in the economic life of this country, the importance of which it is difficult to estimate. It may also be noted that the petroleum resources of no other nation have been so heavily drawn upon to meet foreign needs. This country has carried for years the burden of supplying a large part of the petroleum consumed by other countries.

Until very recently nationals of other countries have enjoyed complete and equal freedom of access to petroleum deposits in the United States. This privilege has been increasingly availed of in recent years. At present no foreign national is excluded from operating in American public lands unless his Government denies similar or like privilege to American citizens. It must be apparent, however, that in light of the future needs of the United States such very limited and purely defensive provisions might become inadequate in case the principle of equality of opportunity is not to prevail in foreign countries.

It is felt necessary for the United States to determine a national policy which, with due regard for its own needs, will be strictly

fair and just to other nations. It is in this spirit that the above considerations are brought to the attention of the Netherlands Government. It is not desired, however, that the above views be interpreted as a special interest in behalf of any particular American individuals or corporations.

COLBY

856d.6363/13 : Telegram

The Minister in the Netherlands (Phillips) to the Secretary of State

THE HAGUE, *September 15, 1920—8 p.m.*
[Received September 16—7:55 p.m.]

254. At the request of the representative of the American Oil Corporation referred to in my 237 August 27, 6 p.m., I presented him to the Minister of the Colonies and on behalf of his company he made application for a portion of the Djambi concessions. The Minister advised him that it was now intended to lay before the Chamber a proposal by which the development of the Djambi fields would be entrusted to the Bataafsche Petroleum Maatschappij under an arrangement which would provide that [*for?*] Government control through Government representation in the management of the profits (he intimated that the larger part to go to the Government). The proposal to this effect would be put before the chairmen when the Indian budget is presented end of October or November. The Minister expects opposition but seems to think it will be carried. Furthermore, the Minister made the following careful statement "that in the arrangement which the Government contemplated making with the Bataafsche Petroleum Company and which would provide for a management in which the Government would have a seat, such clause would be inserted as would make it possible for the Government to allow foreign interests to participate at any future time when and if this should be considered necessary or advisable to". In reply to the question whether the inference from the above is that at present nothing could be done in the way of allowing American interests to participate, the Minister replied in the affirmative.

I called at the Foreign Office this afternoon and acquainted the Acting Minister for Foreign Affairs with the attitude of the Minister of the Colonies and said that in spite of the assurances M. van Karnebeek had given me that American capital was desired it was now apparently the policy not to allow American participation. The Acting Minister pleaded that the contract with the Bataafsche Company had been concluded a year ago before the American Government had expressed any definite interest in the matter. I empha-

sized very strongly the disappointment that would arise in America when it was learned that American capital was to be excluded and I said that I had hoped to be placed in a position which would prevent the anticipated retaliatory measures against Dutch oil interests in America and that open market [*sic*] personally was very much disappointed at the course of events.

It is undoubtedly true that the rights of development under Government control of the Djambi fields and very possibly all mineral concessions in the East Indies have been promised to the Bataafsche Petroleum Maatschappij and I am convinced that I can do nothing further here unless I am in a position to state that retaliatory measures will be employed against the Dutch oil interests in America unless American capital is permitted to participate in the Netherlands Indies.

PHILLIPS

856d.6363/13 : Telegram

The Secretary of State to the Minister in the Netherlands (Phillips)

WASHINGTON, *September 22, 1920—7 p.m.*

573. Your 254, September 15.

The Department has received a letter dated September 20, 1920, from the Secretary of the Interior who administers the general leasing law, reading in part as follows:

"While on their face the laws of the Netherlands seem not to deny the right of an American citizen to own or hold stock in Netherlands corporations engaged in exploring or producing oil, it would seem that as administered the restrictions are such as to practically exclude Americans from such participation.

"The decisions of this Department with respect to the acquisition of mineral lands under the general mining laws of the United States have been that while the law permits the acquisition of such public lands only by citizens or corporations of the United States, corporations organized under the laws of the United States or one of its States or Territories may acquire such mining title, notwithstanding even a major portion of the stock of a corporation is owned or held by aliens, and in the administration of the mining laws no discrimination has been practiced against such corporations, they being accorded equal privileges with those, the stock of which is owned wholly by American citizens. The provisions of the new leasing law, however, as you will note, put the matter upon a reciprocal basis, and unless the Netherlands and other foreign Governments are willing to accord in their laws and in the administration thereof equal and like privileges to corporations organized under the laws of the Netherlands or its colonial possessions, the stock of which is owned or held in part by American citizens, as they accord to corporations the stock of which is wholly owned by Netherland citizens, it

would seem to be the duty of those administering our oil-leasing law to deny its privileges to those corporations organized under the laws of the United States whose stock in substantial or controlling amounts, is held by citizens of non-reciprocating countries.

"I suggest to you the advisability of taking up with the Netherlands Legation and with the legations of other foreign countries, as occasion arises, this matter of reciprocity, expressing the opinion that the reciprocity must be not only in the letter of the law but in its administration and operation."

A letter from the same official to the Commissioner of the General Land Office of the same date reads as follows:

"Pending action by the Netherlands Government or the receipt of information which would warrant a different course, you are advised that the Department will not issue permits or leases under the act of February 25, 1920, to corporations organized under the laws of the United States where the controlling or major portion of the stock of the corporation is owned, held, or controlled by citizens of the Netherlands or other nonreciprocating countries."

You may inform the Netherlands Foreign Office of the contents of these letters, and express the earnest hope that the Netherlands Government will take action leading to real reciprocity in the relations of the two countries with respect to petroleum production.

COLBY

800.6363/183

The Netherland Chargé (De Beaufort) to the Secretary of State

WASHINGTON, *September 27, 1920.*

SIR: In addition to the information which I had the honor to submit to you in my note of June 30th, 1920, regarding the report made under date of May 14th last by the Department of State to the Senate in response to the Senate Resolution 331, I have the honor to send you herewith a further statement[9] from which it appears especially that Netherlanders and persons of other nationalities, according to the Indian Mining Law have equal rights because the law provides that inhabitants of the Netherlands and the Dutch East Indies, regardless of their nationality, can be holders of prospecting licenses or concessions and be Managers or Directors of Companies established in the Netherlands or the Dutch East Indies, which hold such licenses or concessions.

With further reference to the report of the State Department to the Senate mentioned above and the statement therein that virtually

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[9] Enclosure not printed.

the Royal Dutch Petroleum Company should [*would*] hold a monopoly of this industry in the Dutch East Indies, I beg to draw your attention to the fact that the "Koloniale Petroleum Maatschappy", a daughter Company of the Standard Oil Company of New Jersey, holds various concessions and that the fact that their production is smaller than that of other Companies is exclusively because other Companies working in the Dutch East Indies, started much earlier with the exploitation of oil fields and therefore obtained better fields than de Koloniale.

The information of the State Department that a bill was before the Privy Council regarding the mining of oil in the Dutch East Indies, giving practically a monopoly to the Royal Dutch Group, also is not exact. As far as known, only one bill is at present under preparation referring to an exploitation contract with the "Bataafsche Petroleum Maatschappy", in accordance with Article 5a and 28 (2a), of the Indian Mining Law. This contract, however, only covers one field in the Dutch East Indies. For the giving of every other field, new decisions have to be made by the Legislative Power.

From the above it appears, firstly, that there is no discrimination between Netherlanders and Foreigners, because Foreigners can become inhabitants of the Dutch East Indies in the most simple manner, as outlined in the adjoined memorandum, and licenses and concessions can be held by such inhabitants or by Companies controlled by them. Secondly, that no monopoly is being held by the Royal Dutch Petroleum Company, because other Companies controlled by foreign interest hold such licenses and thirdly that the exploitation agreement which is at present being closed between the Dutch Government and the Bataafsche Petroleum Maatschappy, does not give such monopoly because it only concerns a small portion of the oil fields still accessible.

In conclusion I venture to add that I should be much obliged if the contents of this letter and its enclosure could be communicated to the Authority who is charged with the Administration of the General Leasing Act of February 25, 1920, (Public, No. 146).

Please accept [etc.] W. DE BEAUFORT

856d.6363/13 : Telegram

The Secretary of State to the Minister in the Netherlands (Phillips)

WASHINGTON, *October 6, 1920—2 p.m.*

587. Your 254 September 15 and Department's 573 September 22. Telegraph results of conversation with Foreign Office regarding intention of Secretary of Interior to exclude Netherlands citizens

from American public lands. Prompt action is necessary in order that consideration may be given to more definite counter measures. Have you asked for joint American participation in Djambi concession?

COLBY

856d.6363/15 : Telegram

The Minister in the Netherlands (Phillips) to the Secretary of State

THE HAGUE, *October 7, 1920—4 p.m.*
[Received 7:37 p.m.]

269. Your 587, October 6, 2 p.m.

Have had a long conference this morning with the Minister for the Colonies under whose jurisdiction comes the question of oil development in the Dutch East Indies. He tells me definitely that the Government will conclude an agreement with the Bataafsche Petroleum Maatschappy for the development of the Djambi concessions under Government control and that American capital can only come in by an agreement between it and the Bataafsche Company. In reply to my inquiry whether he would urge the Bataafsche to include American capital he gave me his assurance he would do so. It is very definitely the policy of the Dutch Government to continue to control all oil development through Government reserve and in future to announce publicly the facts concerning a specific development and to accept the terms of the best bidder. The Minister said it was impossible to return to the status of the "old law" and he wondered whether the United States would not have to adopt also the policy of Government reserve for oil.

The representative of the American Oil Company mentioned in my 237 August 27, 6 p.m., has made formal application for participation in the Djambi concessions but has not received a definite answer. I understood from the Minister that the reply would be in the negative but that he would suggest the opening of negotiations between the representative and the Bataafsche Company.

PHILLIPS

856d.6363/16 : Telegram

The Minister in the Netherlands (Phillips) to the Secretary of State

THE HAGUE, *October 8, 1920—1 p.m.*
[Received 4:37 p.m.]

270. My 269 October 7, 4 p.m. I think it is possible that Bataafsche Company may be induced to allow American capital to participate.

I am of course interesting myself only in behalf of American capital in general but am in touch with representative of oil company mentioned in my telegram 237 September [*August*] 27, 6 p.m. who is ready to take advantage of opportunity if the Bataafsche Company should decide in favor of American capital. Is this satisfactory to the Department? A prompt reply would be appreciated.

PHILLIPS

856d.6363/16 : Telegram

The Acting Secretary of State to the Minister in the Netherlands (Phillips)

[Paraphrase]

WASHINGTON, *October 16, 1920—noon.*

591. Your 269 October 7, 4 p.m. and 270 October 8, 1 p.m.

You may proceed upon your own discretion, always observing the considerations noted below until receiving further instructions.

First, the Government of the United States would consider satisfactory any change in the Netherland policy whereby American corporations would receive opportunities and rights regarding actual production much like position in United States of foreign companies enjoying reciprocity.

Second, although we can give no opinion concerning its effects upon the American general leasing law or the operation of that law, a partitioning of the Djambi region, perhaps as outlined in the concessions of 1915 [*1913?*], in such a way as to allot to a Dutch corporation one concession and to leave to Americans an equitable opportunity for negotiations with The Hague for the other, would appear to be a satisfactory settlement for the time.

Third, we could not admit as satisfactory in regard either to principle or to permanency a private agreement between an American company and the Bataafsche Company. Nevertheless, since it seems that the Government of the Netherlands has pledged itself definitely to the arrangement with the Bataafsche leaving private negotiations with the latter as perhaps the only opportunity to bring about American participation at present or at all, we do not wish that such private negotiations should be discouraged. Since the entry of an American oil corporation, and especially of one of the several independents, would bring greater competition and would therefore be to the advantage of shipowners and consumers of Europe, the weighty objections of past years to Standard's participation are not now valid. Such action as would decrease the favorable disposi-

tion of the Bataafsche or the Government of the Netherlands toward participation by an American company should be avoided.

Fourth, however, the impression should not be created that the Department can accept the privileged situation of the Royal Dutch or the position now taken by the Netherlands Government as satisfactory.

DAVIS

856d.6363/17 : Telegram

The Minister in the Netherlands (Phillips) to the Secretary of State

THE HAGUE, *October 16, 1920—3 p.m.*
[Received 8:20 p.m.]

271. My 270 October 8, 1 p.m. I have had a [conversation?] with the Dutch representative of the Bataafsche Petroleum Company explaining to him in detail the Department's position in this matter. He promised to bring the matter to the attention of his colleagues which he has done and now writes me the following note.

"I have had the occasion to bring to the notice of my colleagues the objections raised by the United States Government with reference to the contract which it is in [*sic*] the intention of the Netherlands Indian Government to close with the Bataafsche Petroleum Company for the working of the oil fields in Djambi.

I regret to say that we cannot see our way to make representations to our Government to alter their policy and to bring in a third party in the proposed case.

We still hope that the United States Government will on further consideration come to the conclusion that as the provisions of the mining law in the Netherlands Indies give foreigners the same rights as Dutch subjects and as this is a single case of a contract made with our company and the Government does not in any way bind itself to give us the further oil territories which are as yet under reservation, there is in reality no discrimination as to the granting of oil concessions in the Netherlands Indies."

PHILLIPS

856d.6363/19 : Telegram

The Minister in the Netherlands (Phillips) to the Secretary of State

[Paraphrase]

THE HAGUE, *October 20, 1920—10 p.m.* [*11 a.m.?*]
[Received October 20—4:20 p.m.]

272. Today Minister of Colonies in conversation with me concerning matter discussed in my 271 October 16, 3 p.m. gave me definite

impression that solution to problem of participation of American capital with the Bataafsche might yet be discovered, for the question was still open. It appears to me that something similar to third suggestion given in your 591 October 16, noon, is the only likely solution.

PHILLIPS

800.6363/183

The Acting Secretary of State to the Netherland Chargé (De Beaufort)

WASHINGTON, *November 2, 1920.*

SIR: I have the honor to advert to your note dated September 27, 1920, conveying your views regarding the operation of the Netherlands East India mining laws and transmitting a memorandum relating to certain features of these laws.

In accordance with your request, I have transmitted copies of your note and of its enclosure to the Department which is charged with the administration of the general leasing laws of February 25, 1920. That Department has also in its possession copies of various other communications on the same subject addressed to the Department of State by private companies in which Netherlands citizens are interested. It has been informed in addition regarding recent conversations on the same subject between the American Minister at The Hague and officials of the Netherlands Government.

Before taking up the specific points under discussion between the two Governments in this connection, I beg to refer to the attitude of this Government in the past relative to the participation of aliens in the petroleum industry in this country, and the policy it wishes to maintain in the future. It is common knowledge that nationals of other countries, including those of the Netherlands, have been accorded complete and equal freedom of access in fact to the petroleum deposits of this country. It is hardly necessary to point out the large extent to which Netherlands citizens and subsidiaries of Netherlands companies have availed themselves of this privilege. The general leasing law of February 25, 1920, like the provisions of the placer mining laws relating to petroleum, now repealed, does not permit an alien or an alien corporation as such to acquire or lease public petroleum lands; but this Government has always, prior to February 25, 1920, permitted corporations, organized under the laws of the United States, in which a part or even a controlling amount of the stock was owned by citizens of the Netherlands or of any other foreign country, to acquire title to petroleum lands.

The present leasing law of the United States does not permit corporations, the stock of which is owned or controlled by citizens of the Netherlands or any other foreign country, to obtain leases on the public lands, unless the Netherlands or other foreign country extends like privileges to American citizens. This law, as you are aware, provides in Section 1:

"That citizens of another country, the laws, customs, or regulations of which deny similar or like privileges to citizens or corporations of this country, shall not, by stock ownership, stock holding, or stock control, own any interest in any lease acquired under the provisions of this act."

The purpose underlying the enactment of this provision was to bring about between the United States and foreign countries a condition of reciprocity and mutual freedom of access with respect to the development of petroleum resources. It is possible, however, that this limited and purely defensive provision may appear inadequate in case the principle of equality of treatment is not to be applied to petroleum production in other countries, as it has been applied in the United States.

If the laws of the Netherlands will not permit corporations formed under the laws of the Netherlands, part of the stock of which is owned and controlled by American citizens, to obtain leases or concessions for the development of oil lands in the Netherlands or its colonies, the United States cannot, under the law of February 25, 1920, grant an oil lease or permit to any corporation whose stock is owned or controlled by citizens of the Netherlands. The Government of the United States does not contend that American citizens or American corporations should be granted leases or permits in the Netherlands as such, but its position is that if reciprocity is desired American citizens should be permitted to organize corporations in and under the laws of the Netherlands, or to own, hold, and control stock in corporations organized by others under the laws of the Netherlands and that such holding, ownership, or control should not debar such corporations from obtaining concessions or privileges for petroleum development in the Netherlands or its colonies. Unless assurances to this effect are given, it would appear that the Government of the United States cannot, under the law of February 25, 1920, permit any corporations organized under the laws of the United States, controlled by stockholders who are citizens of the Netherlands, to obtain leases or permits for the development of oil or gas on the public lands of the United States. Moreover, the reciprocity alluded to in the general leasing law must be not only in the letter of the law but also in its administration and operation.

I am aware that a subsidiary of an American petroleum company procured a number of years ago some minor concessions in the Netherlands East Indies, prior apparently to certain changes in the Netherlands East Indian laws. This circumstance, however, does not point to the conclusion that American citizens are accorded at the present time in the Netherlands East Indies a position in regard to petroleum production similar to that of aliens enjoying reciprocity in the United States.

I may add that the Government of the United States welcomes the intimation contained in your note that the Netherlands Government does not intend to give to the Royal Dutch Petroleum Company a virtual monopoly of the exploitation of the remaining petroleum fields in the Netherlands East Indies. As you are aware the bill, referred to in your note, which is now under consideration by the Netherlands Government and which provides for an agreement with the Bataafsche Petroleum Maatschappy, a subsidiary of the Royal Dutch Petroleum Company, according to which the subsidiary company is to receive exclusive exploitation rights in the Djambi concessions in Sumatra, has formed the subject of representations to your Government by the American Minister at the Hague. While it is recognized that this agreement provides for the disposition of only one field, it is understood that this field includes the most valuable of the remaining prospective petroleum territories in the Netherlands East Indies, and that American companies thus far have been unsuccessful in requests for a share in the concession. Frankness requires me to state that the disposition of this field at the present time in the manner stipulated by the proposed agreement impresses this Government as an indication of a policy to exclude companies controlled by American citizens from the petroleum industry of the Netherlands East Indies.

I shall be pleased, accordingly to receive any further information or assurances on the part of your Government which might promote real reciprocity in the relations of the two countries with respect to petroleum production.

Accept [etc.] NORMAN H. DAVIS

856d.6363/21

The Secretary of State to the Minister in the Netherlands (Phillips)

No. 97 WASHINGTON, *November 11, 1920.*

SIR: Reference is made to previous correspondence regarding the petroleum situation in the Netherlands East Indies and especially

to your despatches No. 313 of October 7, 1920, and No. 325 of October 20, 1920,[10] embodying conversations which you have had with the Minister of Colonies, and with Mr. J. T. Cremer, the Netherlands Minister at Washington. There is transmitted herewith a copy of a note to the Netherlands Legation at Washington dated November 2, 1920,[11] in reply to the Legation's note dated September 27, 1920,[12] a copy of which with an accompanying memorandum was transmitted to you with the Department's instruction No. 95 of October 21, 1920.[13]

The statements in the Department's note to the Netherlands Legation relating to the application of the general leasing law to Netherlands citizens were based on communications from the Department of the Interior. This Department desires that the Netherlands Government should clearly understand the position taken by the Department of the Interior in the administration of the general leasing law. The Netherlands Legation at Washington apparently has not fully understood the requirements of the reciprocity provision of the law with respect to the operation of Netherlands laws on American citizens or American companies in the Netherlands East Indies.

With reference to the statement of Mr. Hugo Loudon, of the Royal Dutch Petroleum Company, that before admitting American interests to participation in the Bataafsche Company he would wish specific information whether such cooperation would be satisfactory to the United States and would remove the present restrictions against Netherlands citizens in the United States, you were probably correct in assuring Mr. Loudon that you could obtain promptly from this Department any desired information on this point. While this Department cannot speak definitely regarding the administration of the general leasing law, it would not appear that the operation of the law could be relaxed in the light of a purely private arrangement, with no change in the laws or policy of the Netherlands Government. Nevertheless, the Department does not wish this aspect of the situation to be put forward in such a way as to discourage private negotiations.

I am [etc.]

For the Secretary of State:
ALVEY A. ADEE

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[10] Neither printed; see telegrams nos. 269 and 272 from the Minister in the Netherlands, pp. 281 and 283, respectively.
[11] *Supra.*
[12] *Ante,* p. 279.
[13] Not printed.

856d.6363/25 : Telegram

The Minister in the Netherlands (Phillips) to the Secretary of State

THE HAGUE, *November 23, 1920—4 p.m.*
[Received November 24—1:10 a.m.]

281. My mail despatch number 351 November 10.[14]

Government bill establishing Netherlands Indian Petroleum Company, for the exploitation of the Djambi oil fields, introduced yesterday into the Second Chamber. It is in fact a contract between the Government of the Netherlands India and the Bataafsche Petroleum Company, each to hold 50 percent of the capital. The direction however of the company to be entrusted to the Bataafsche searcher [*sic*]. Regarding development of the fields in the Netherlands Indies, the Government reserves the right itself to undertake exploitation of these fields or make similar arrangements with the other companies. Text of bill being forwarded.

PHILLIPS

856d.6363/31

The Minister in the Netherlands (Phillips) to the Acting Secretary of State

No. 385 THE HAGUE, *December 4, 1920.*
[Received December 29.]

SIR: Referring to the Department's Instruction No. 97, of November 11th last, and to previous correspondence regarding the petroleum situation in the Netherlands East Indies, I have the honor to transmit herewith the copy and translation of a note dated December 2d from the Minister for Foreign Affairs, which is in reply to my two notes to the Foreign Office of September 7th and 25th last, copies of which I also enclose herewith.[15]

It will be noted that the defence of the Netherlands Government in granting exclusive privileges for the development of mineral oils to a single company (namely, the Bataafsche) is because of "the lack of interest on the part of American capital to obtain and exploit petroleum concessions in the Indies" in the past.

The point is made that the object of the present legislation regarding the development of oil is in order that the State should profit as much as possible from the exploitation and it is for this reason

[14] Not printed.

[15] Notes to Foreign Office not printed; they were based upon instructions in Department's telegrams nos. 555 and 573, pp. 276 and 278, respectively.

that the legislation in question gives the Government the right of choice, in regard to the petroleum fields not already exploited, between exploitation by the State or exploitation by virtue of contract. The Government holds that private companies may be considered as contractors working in the service of the Government and obtaining a certain remuneration therefor.

The Netherlands Government having adopted this policy in no uncertain terms, I do not believe that it is advisable or profitable for the Government of the United States to endeavor to obtain a modification of the existing laws at the present time. I think it is advisable, as I have previously informed the Department, to insist upon American capital being permitted to participate through a private arrangement with the Bataafsche Petroleum Maatschappij, in accordance with the terms of the Explanatory Memorandum accompanying the new Government Bill, a copy of which was transmitted in my despatch No. 374, of November 24.[16] The Memorandum explains, as the Department will recollect, that

"account should be taken of the fact that circumstances may arise making it desirable that the transfer of a part of the B-Shares should pass to persons or bodies of foreign nationality. Such transfer, however, will not be able to take place except with the express permission of the Minister of the Colonies",

and also provides that foreigners may become members of the Board of Directors of the new company organized by the Government.

I have [etc.] WILLIAM PHILLIPS

[Enclosure—Translation [17]]

The Netherland Minister for Foreign Affairs (van Karnebeek) to the American Minister (Phillips)

Littera D.A.E.
No. 23397 THE HAGUE, *December 2, 1920.*

MR. MINISTER: In reply to the notes which Your Excellency was good enough to address to me on September 7th and 25th last, I have the honor to inform you that since the measures, mentioned in the note attached to my letter of June 30 (No. 12542), had been taken, no concession was given to private persons or societies for the exploitation of petroleum fields in the Netherlands Indies.

Before that date the possibility of obtaining such concessions was open as well to foreign interests as to Netherlands interests.

[16] Not printed.
[17] File translation revised.

If therefore the best concessions are controlled at present, as is stated in the Memorandum annexed to Your Excellency's letter of September 7th, by a single Netherlands company, this state of affairs cannot be attributed to the legislation or the Government of the Dutch Indies, but to the lack of interest on the part of American capital in obtaining and exploiting petroleum concessions in the Indies.

Furthermore, there is no doubt that in the period during which petroleum concessions were given to private persons or societies, the Netherlands–Indian Government has in no manner, in the application of this mining legislation, distinguished between societies with foreign capital, for instance American, and societies with Dutch capital. The note attached to my letter of June 30 has already shown that as a consequence of the proposed modification of the mining policy, the Dutch–Indian Government has since 1913 ceased to accord any concessions for the exploitation of petroleum fields and has given no permission for the prospecting of petroleum.

Since then, the new mining law of July 20, 1918 (S. 466) has established that the discovery of petroleum, coal and iodine, does not give any right to the discoverer of these products to obtain a concession for exploitation.

The exploitation of these minerals will be carried out by the Government, or by contract—to be approved by a law—between the Government and a corporation.

The object of the mining legislation in regard to the three products mentioned is now that the State should profit as much as possible from the exploitation. It is for this reason that the legislation in question gives the Government the right of choice, in regard to the petroleum fields not already exploited, between exploitation by the State or exploitation by virtue of a contract.

In this sense the private companies may be considered in a certain measure as contractors (*entrepreneurs de travaux*) working in the service of the Government and obtaining a certain remuneration therefor.

Under the present régime no one can claim the right to exploit the petroleum fields, but every society or company may, independently of the question whether its stockholders are Netherlanders or foreigners, solicit from the Government the right to exploit for the State under a contract.

Your Excellency will note from the foregoing that before the modification of the régime of 1913 no distinction was made between foreign and Dutch capital for the exploitation of petroleum concessions; that between 1913 and 1918 no concession was granted, and that under the new régime of 1918 the possibility existed as much

for companies with foreign interests as for those with Dutch interests to obtain a contract for exploitation.

I beg Your Excellency to bring the above to the attention of His Government and to assure it that there exists no tendency in the East Indies to set aside the foreign capital and spirit of enterprise in these Colonies.

Indeed, numerous agricultural and mining exploitations exist in the Indies in which American capital and American citizens occupy important and honorable positions, and this to the great satisfaction of the Government of the Queen.

Accept [etc.]

For the Minister:
A. M. Snouck Hurgronje
The Secretary General

NICARAGUA

PRESIDENTIAL ELECTIONS

Remonstrance by the United States against the Unconstitutional Candidacy of President Chamorro for Reelection—Rejection by President Chamorro of the United States Government's Recommendations for a Reform of the Electoral Law—Public Statement by the United States of Its Disinterestedness as between Rival Candidates—Proclamation by President Chamorro Providing Safeguards for a Free Election—Conservative Victory at the Polls—Renewed Suggestions by the United States for a Reform of the Electoral Law

817.00/2616

Memorandum by the Chief of the Division of Latin American Affairs, Department of State (Stabler)

[WASHINGTON,] *August 5, 1919.*

The Nicaraguan Minister called on Mr. Stabler to-day and discussed the matter of the coming election in Nicaragua. He asked what was the attitude of the Government of the United States towards the possible candidacy for re-election of President Chamorro. Mr. Stabler replied that the position of the United States was the same as had been explained to him in January, i.e., that although recognizing the benefits which General Chamorro had given to Nicaragua, the United States was strongly convinced that the constitution of Nicaragua must be complied with,[1] and that if after a study of the constitution, the Government of the United States was convinced that it was against the constitution for General Chamorro to come up for re-election, this Government would be guided accordingly in its views.

The Minister then said it was possible that General Chamorro would resign six months before the termination of his period, which he said was in accordance with the constitution, and then announce his candidacy. Mr. Stabler said this phase of the matter would have to be studied by the legal branch of the Department. The Minister then went into a prolonged explanation of the political situation, saying that he believed that the people were realizing the benefits of the present régime and that the opposition was primarily in support of the old Zelaya administration.

STABLER

[1] For text of Constitution, see *Foreign Relations*, 1912, p. 997.

817.00/2629a : Telegram

The Acting Secretary of State to the Minister in Nicaragua (Jefferson)

WASHINGTON, *February 12, 1920—7 p.m.*

11. You may take an early opportunity to inform President Chamorro that the Department is greatly surprised to learn that in his Message of December 15, he refers to the possibility of becoming candidate to succeed himself. The Department assumes that he desires to conform to the provisions of the Constitution and is convinced that these provisions absolutely forbid his candidacy at the forthcoming presidential elections. Any deviation from this strictly constitutional course would create a most unfortunate impression in the United States.

POLK

817.00/2631 : Telegram

The Minister in Nicaragua (Jefferson) to the Acting Secretary of State

MANAGUA, *February 26, 1920—9 a.m.*
[Received February 27—1 a.m.]

5. Department's February 24, 5 p.m.[2] Upon two occasions I discussed contents of Department's February 14 [*12*], 7 p.m., with President Chamorro. Notwithstanding, he has submitted to Congress article 104 Constitution for its determination. I am of the opinion that he has abandoned all hope of becoming a candidate.

He stated that in the event of his not becoming a candidate he would support as first choice Martin Bernard and second, Diego M. Chamorro. Other prominent candidates are J. A. Urtecho and Fernando Solórzano.

The convention of the Conservative Party will meet on May 2.

JEFFERSON

817.00/2806

The Judge Advocate General, War Department (Crowder) to the Chief of the Division of Latin American Affairs, Department of State (Rowe)

WASHINGTON, *April 14, 1920.*

MY DEAR DOCTOR ROWE: From the hasty examination I have given the attached Electoral Code of Nicaragua,[2] it seems to me to be almost totally lacking in the usual safeguards.

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[2] Not printed.

So far as I can determine from this hasty examination, the registration is in the hands of Boards of Directors, elected by popular vote (Articles 9 and 26) and are therefore partisan bodies, (no minority representation thereon.)

I can find no appeal from the decisions of this partisan Board, (Article 16). So far as my cursory examination extends these partisan boards call the election, (Article 21), conduct it, (Article 28, 2nd, 8th and 10th) and I can discover no recourse from their decisions except in the final count in the case of Senators and Deputies, by the "Chief Civil Magistrate, in company with the Mayor" (Article 55).

I infer this law was enacted in 1913, since which there has been no revision. Frankly, I can not trace the Electoral Administration from the registration down to the announcement of the result with any degree of satisfaction.

E. H. CROWDER

817.00/2638 : Telegram

The Minister in Nicaragua (Jefferson) to the Secretary of State

MANAGUA, *May 4, 1920—9 a.m.*
[Received 3:25 p.m.]

14. Yesterday Diego M. Chamorro was nominated by the Conservative Party as presidential candidate.

JEFFERSON

817.00/2644a : Telegram

The Secretary of State to the Minister in Nicaragua (Jefferson)

WASHINGTON, *May 29, 1920—5 p.m.*

20. You are directed to avail yourself of an early opportunity orally to lay before President Chamorro the following considerations. This Government has no doubt that the approaching presidential elections in Nicaragua will be so conducted as to represent the free and accurate expression of the will of the people. To secure this great purpose it is essential that the election laws of Nicaragua be made to conform to modern standards. Recently Major General Crowder at the invitation of the President of Cuba prepared a revision of the election laws of that country.[4] It is altogether likely that General Crowder might be induced to perform the same service for Nicaragua. You will, therefore, tactfully suggest to the President of

[4] See *Foreign Relations*, 1919, vol. II, pp. 29 ff.

Nicaragua the desirability of extending an invitation to General Crowder to proceed to Nicaragua for the purpose of undertaking an expert study of the present election laws and of proposing such revision or amendments as he may deem necessary. Such a revision will give assurance to all parties that their voting strength will be actually registered in the elections, thus contributing to the development of democratic institutions in Nicaragua.

COLBY

817.00/2648 : Telegram

The Minister in Nicaragua (Jefferson) to the Secretary of State

MANAGUA, *June 15, 1920—9 a.m.*
[Received 9 p.m.]

19. Department's May 29, 5 p.m. Contents discussed with President Chamorro who stated that it would be inconvenient for him to make any changes in election laws at this time on account of the proximity of the elections. He stated that the present election laws amply provide for free elections. He does not feel that he can invite General Crowder as suggested by the Department.

Notwithstanding the President's reply regarding this matter I hope to be able to have them make some reforms. It is my belief that if a good election is not had here trouble will follow. I suggest Department let it be known to the people of Nicaragua that it expects free elections thus ultimately preventing any revolutionary upheavals.

JEFFERSON

817.00/2648 : Telegram

The Acting Secretary of State to the Minister in Nicaragua (Jefferson)

WASHINGTON, *June 26, 1920—3 p.m.*

25. In view of suggestion contained in your No. 19, June 15, 9 a.m., you are authorized to issue following statement:

"Repeated inquiries have been made at the Department of State at Washington by representatives of different political parties of Nicaragua inquiring whether certain named persons would be agreeable to the Government at Washington as candidates for the presidency. In order to avoid any misapprehension with reference to the situation, my Government authorizes me to state that the question of candidates for the presidency of Nicaragua is a matter to be decided by the people of Nicaragua in the full and free expression of public opinion. The exceptionally close relations existing between

Nicaragua and the United States creates in both the Government and the people of the United States a deep and abiding interest that presidential elections in Nicaragua shall be conducted on the highest plane, assuring to every qualified voter not only the free expression of opinion but also the accurate registration of that opinion in the final result.

"The Government of the United States has expressed no opinion with reference to the persons who have been mentioned as candidates for the presidency. Its sole interest is that the forthcoming elections be characterized by the utmost fairness and freedom; that an accurate count of the votes cast be made, and that the candidate receiving the largest number of popular votes be declared president-elect of Nicaragua."

DAVIS

817.00/2674 : Telegram

The Minister in Nicaragua (Jefferson) to the Secretary of State

MANAGUA, *August 23, 1920—3 p.m.*
[Received 10:50 p.m.]

33. Yesterday afternoon at 4 o'clock the registration closed. It is said that on account of physical impossibility, quite a large number failed to register. As regards the unregistered near the places of registry in Managua the registration officials announced them all entitled to registration and that they would receive registration tickets. It appears that Managua [*Managuans?*] were dissatisfied on account of the delay and came in a body to the Legation to make protest. However it appears that orders were given by police authorities subject to [*in charge of?*] precinct of Antonio to block the streets and prevent the unregistered leaving without their registration tickets. This action by the police created dissatisfaction and great excitement amongst the people. Many attempted to leave but were stopped by the police, a row followed, the police first fired in the air and later killed one man on horseback who was trying to get away. One policeman was killed and several citizens were injured. The shooting seemingly was all done by the police. This created excitement in the city and has caused high feeling.

Representatives of both factions came to me to present their respective sides of the question, am endeavoring to obtain facts. It would seem that the police acted indiscreetly in holding back the people.

The Government authorities have caused the arrest and imprisonment of four of the principal Liberals and twenty others. It is claimed by the Government officials that the Liberals had been insti-

gating their people to bring about trouble during the registration days.

Have not any authentic reports regarding registration in other places.

JEFFERSON

817.00/2674 : Telegram

The Secretary of State to the Minister in Nicaragua (Jefferson)

WASHINGTON, *August 26, 1920—8 p.m.*

39. Your 33, August 23, 3 p.m.

Press reports that disturbances similar to the one which you report took place in Managua incident to the registration of voters in that city have taken place generally throughout the Republic; that thousands have been unable to register and that intimidation and violence have been resorted to by the governmental authorities. You are therefore instructed to deliver the following statement verbally to President Chamorro:

"The Department of State has received with the deepest concern reports showing that disturbances have arisen throughout Nicaragua incident to the registration of voters. Information has reached the Department that very many voters have been deprived of the right to register, and it appears that several persons have been killed in the disturbances which have ensued. Furthermore, the Department has been advised that certain political leaders have been arrested and imprisoned by the Government authorities.

While the Department does not presume to form any judgment as to the reasons for the disturbances which arose, it cannot but view with the gravest apprehension the imprisonment of the leaders of one of the political parties. The Department recently had occasion to make its position very plain by stating publicly that the Government of the United States favored no candidate in the coming elections in Nicaragua, and that its only interest, because of the close relations which exist between Nicaragua and the United States, was that the election should be conducted in such a way that every qualified voter in Nicaragua should be enabled to register with complete liberty and to express freely his opinion in the subsequent elections. The action taken by the Government in arresting and imprisoning the leaders of one of the political parties is bound to produce the most unfortunate impression upon the people of the United States.

The Department of State trusts that the reports which have reached it regarding alleged acts of violence on the part of the governmental authorities during the registration period are incorrect or have been exaggerated. It hopes that the Government of Nicaragua will realize that elections cannot be held in such a manner as to permit a candidate for the Presidency to be chosen by the full and

free expression of public opinion if acts of intimidation are now undertaken by the authorities under the control of the Government. It therefore feels confident that the Government of Nicaragua will take steps immediately to dispel the impression created by the arrest of these political leaders and will take no further action which will cause this Government to feel that the people of Nicaragua will not be able to vote freely, without constraint or hindrance of any kind, in the coming elections."

If this does not produce desired result you may publish above statement.

COLBY

817.00/2679 : Telegram

The Special Military Attaché at Managua (Miller)[5] *to the Secretary of State*

MANAGUA, *September 10, 1920—2 p.m.*
[Received September 11—10:15 a.m.]

2. Military Intelligence. My comparison of registration books with census completed in August this year under the supervision of American authorities discloses that registration lists are padded to a great extent. Population of Nicaragua approximately 640,000 and registration total approximately 140,000. In several departments registration lists contain between 28 and 33 per cent of population. Since fair registration ought not to include over 15 per cent of population it is evident that present registration lists have been enormously padded.

On the other hand Coalition Party claims that large numbers of their supporters have not been inscribed on registration lists and that many of their supporters whose names appear on lists of previous years have been stricken from current lists without cause thus disqualifying them from voting in coming elections. This charge is true. For example: list of voters for Department of Jinotega for 1920 discloses that 800 voters whose names appear in list for 1916 have been eliminated.

Present electoral law provides that no citizen can vote unless inscribed in catalogue or registration list. Government intends to allow vote only to citizens whose names appear in catalogue for current year. Coalition Party contends that fair election can be held only by repeal of present law and passage of new law allowing every citizen to vote at coming election whether he is inscribed or

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[5] Assigned to observe the course of the Nicaraguan elections.

not. Coalition claim amendment of the law necessary to obviate fraud growing out of padded catalogues and elimination of Coalition supporters from catalogues of prior years. To carry their contention into effect would require special session of Congress much [*which*] in view of shortness of time before coming election is highly practicable [*impracticable?*].

I think it is possible to hold fair election under present law notwithstanding padded catalogues and elimination of Coalition voters from current catalogues by adopting following procedure: As to padded catalogues, the President should decree that each man who votes must be marked on the hand or the arm with indelible ink as soon as he has voted and that no man will be allowed to vote if he has already been marked. This will make it impossible for Government to use repeating voters now listed in election catalogues. As to Coalition voters eliminated from the current catalogues, President should decree that any citizen may vote if his name appears in any catalogue for any year from 1906 to 1920 unless it affirmatively appears on catalogue that his name has been eliminated for one of the reasons authorized by the Constitution or the election laws.

Adoption of the two suggestions outlined above ought to lay foundation for fair and representative vote. The only alternative is the adoption of suggestion of Coalition Party which will require special session of Congress. Fair election impossible unless either my foregoing suggestions or the suggestion of Coalition is adopted.

Government proposes to hold election of election boards for various voting precincts on September 19th. Under Government's proposed plan election boards thus elected will be composed of five members all of same party. If present plan is carried into effect it will undoubtedly result in election boards composed entirely of representatives of Conservative Party. Coalition will therefore have no representation on any election board. This of course will render fair election impossible. It is, however, possible under present law to appoint election boards instead of electing them in the manner now proposed by the Government. I think election boards should be composed of three Conservative and two Coalition members designated by respective parties. Fair election impossible, unofficially informed that election boards are appointed as indicated above [*sic*].

In view of urgency of these matters and short time remaining in which my suggestions can be put into effect request an immediate reply indicating approval or disapproval of my suggestions. If suggestions are approved request authority to make urgent representation to the President that same be put into effect.

MILLER

817.00/2679 : Telegram

The Secretary of State to the Minister in Nicaragua (Jefferson)

WASHINGTON, *September 16, 1920—6 p.m.*

43. Your September 10, 2 p.m.[6]

Please inform Major Miller that the Department's sole interest in the revision of the laws relating to elections is that every enlightened and reasonable measure shall be taken to see that the result of the election is expressive of the popular will and is accepted by the people as such. In this way only will the resentment that is sure to be occasioned by any unfairness of method be avoided and public order and security protected against disturbances which may result from any well-grounded dissatisfaction with electoral methods.

It is difficult for the Department at this distance to form or express with confidence an opinion on any specific changes in the election laws such as Major Miller mentions. It would seem to the Department, however, very questionable to adopt the names appearing on the catalogues for the past 15 years as the sole basis for the registration of authorized voters. It would seem much more reasonable that the last authentic list be accepted as a basis and some provision made for inserting or adding to that list names shown to have been improperly omitted. The Department is clearly of the opinion, however, that it would be well for the President to appoint the election boards by executive decree as this will enable him to make certain that both parties have equitable representation on the boards. The suggestion of marking the voters appears to the Department to be unwise. It seems to involve a degree of personal indignity and the Department believes a more reasonable method of individual identification can be evolved.

The Department will be glad to have you visit President Chamorro, accompanied by Major Miller, and inform the President of the Department's friendly solicitude that no step be omitted that will tend to insure a fair election and a popular acceptance of its result. You may also express to the President the Department's confidence that this is his aim and you may seize the opportunity to emphasize the desire of this Government to refrain from anything except a disinterested and helpful assistance to the people of Nicaragua.

The Department will be glad to have you show a paraphrase of this telegram to the President.

COLBY

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[6] Special military attaché's telegram, *supra*.

817.00/2688 : Telegram

The Minister in Nicaragua (Jefferson) to the Secretary of State

MANAGUA, *September 20, 1920—10 a.m.*
[Received 5 : 15 p.m.]

41. Yesterday elections were held for the members of election boards but little interest was taken here and a very light vote cast. I presume in the other parts of the Republic like conditions prevailed.

American Consul at Bluefields informed me on the 18th that he was apprehensive of trouble brewing there.

Executive committee of the Coalition Party issued a circular instructing its people to abstain from voting yesterday because of lack of full registration of its voters and some fear of further intimidation by police authorities. It appears that Coalitionists are dissatisfied because the Nicaraguan authorities are being permitted to exercise full control of the elections.

September 18th I published a statement to the effect that the Department had not modified its attitude in its telegram of June 26, 3 p.m. I am inclined to think that this will be the means of helping the situation and that Coalitionists will vote in general elections October 3d and 4th.

JEFFERSON

817.00/2689 : Telegram

The Special Military Attaché at Managua (Miller) to the Secretary of State

MANAGUA, *September 21, 1920—3 p.m.*
[Received September 22—5 : 30 a.m.]

3. Military Intelligence. I have completed statistical survey of electoral problem results of which confirm my preliminary conclusions expressed in my telegram of September 10, 2 p.m. There were available for study and comparison the Government census, Singer Machine Company census, complete registration Christian name, last of which became available September 18th, election returns for 1916, and lists of Coalition voters alleged to have been denied inscription. It was necessary to check all data against each other to detect over statements and exaggerations of which there are many. My final conclusion is that the registration lists now padded between 40,000 and 50,000 in favor of Conservative Party and that at least 9,500 Coalition supporters have been omitted from inscription. I have furnished the American Minister with a

memorandum setting out in full the result of my investigation and will furnish the Department copy by next mail.[6]

I left with him available statistics which admits a fair general view of relative strength of both parties in each political subdivision of the country. These will be extremely valuable in checking final election returns and in determining the degree of fairness with which election was conducted. My investigation discloses that Coalition Party has by no means the overwhelming majority claimed by it, providing always that Conservative strength remains intact. Of this however there is some doubt as many Conservatives are dissatisfied with candidacy of Diego Chamorro and portion of their strength may go to Doctor Urtecho. Election of election boards took place Sunday. Coalition voters did not go to polls except in more distant departments, where the order of their executive committee to refrain from voting failed to reach them in time. In three voting place[s] Coalition boards were elected. While Conservatives state that only a light vote was cast by them preliminary returns show 36,000 Conservative votes and total will probably reach 45,000. Since the Conservative vote in general election of 1916 was 51,000 which was considered a full vote, it is apparent that the Government plans to pile up a very large vote in presidential elections next month. It is certain from comparison of the vote cast last Sunday and statistics which I have compiled that the Conservatives will poll vote much larger than their actual strength.

I visited the President with the American Minister this morning and discussed contents of the Department's telegram of September 16, 6 p.m. Two questions were discussed, first, representation for Coalition on election boards and second, the matter of allowing Coalition supporters not inscribed to vote. The Minister left a copy of paraphrase of Department's telegram with the President which he took under advisement.

The matter of preventing duplication of voting was not discussed. Since the Department has disapproved my suggestion of marking each voter as a check against repeating there appears to be no practical method preventing duplication of voters. Any other satisfactory method is now impossible because the short time remaining before election prevents installation of any system of effective checks. However, the statistics which I have compiled will enable me satisfactorily to establish with fair degree of accuracy the extent of duplicated voters. The President has [not?] indicated his decision on the Department's suggestions. I shall be free to leave Managua and devote remaining time before election to other parts of the country.

MILLER

[6] Not printed.

817.00/2697

President Chamorro to the Nicaraguan Chargé (Zavala)[7]

MANAGUA, *September 22, 1920.*

Ask for an audience with the Department of State and express to them my surprise that in spite of the repeated declarations made by them to you of their impartiality and desire not to intervene in our electoral problem and that their only desire would be to have in Nicaragua a free and honest election complying with our laws, upon yesterday I received a visit from the Minister from the United States and the Military Attaché during which a message from the Department of State was handed to me requesting certain changes of the Electoral Law. These changes would be in violation of that same law and of our Constitution if made and would make null and void our form of Government. For those reasons I beg you to express to the Department of State that I am not able to accept its valuable suggestions and at the same time express to the Department the assurances of my Government that it will give the most complete liberty and fairness in the elections and that no one will have any reason for complaint except those who have not complied with the law by failing to register on the many occasions the law provides for and that has been accorded. The opposition has hoped by these means to obtain a victory of its opponents securing the favor of a recommendation which in the actual moment would seemingly appear to be an external imposition upon the Government and contrary to the repeated declarations which have been made by the Government of the United States. The suggestions of Major Miller might have been of value if they had been made some time prior to the elections and they may serve as a basis for changes to be made at the next session of the Congress.

CHAMORRO

817.00/2708 : Telegram

The Minister in Nicaragua (Jefferson) to the Secretary of State

MANAGUA, *September 28, 1920—3 p.m.*
[Received September 29—10 : 35 a.m.]

46. Referring to my cable of September 25, noon.[8] The President informs me that he will issue an order to all officials giving equal immunity to the respective representative members of the parties to

[7] Copy of telegram left at the Department by the Nicaraguan Chargé, Sept. 24.
[8] Not printed.

participate equally with the election boards in accordance with article 43 of the election law and also that the election boards will be notified to accept ballots from all voters without hindrance at which time names of voters are to be registered and after the ballots have all been cast the members of the election boards together with the party representatives will check names of voters with the catalogues in order to determine correctness ballots legally cast.

In regard to lists submitted by Coalitionists the President absolutely refuses to accept them on ground of illegality and moreover for the reason that previous registration Coalitionists refused to treat with a commission sent by him to arrange for the presentation of such lists and Coalitionists were instructed not to register.

I informed the President that in future deemed it advisable to save trouble in the end that lists above referred to be taken into account.

Yesterday Guatemalan Minister and Cuban Minister directed joint note to both Conservative and Coalition Parties to the effect that they would be glad to offer their good offices in assisting the two parties to accept candidates drawn by lot from their respective sides with equal division of government offices or tickets composed of Conservative president with Coalition vice president or vice versa. This suggestion was not well received by the Government party which considers same rather presumptuous on their part. Two important members of Coalition stated to me that if they wanted intervention they would request it of the United States.

There is considerable anxiety in the country over approaching elections.

It now appears as though there would be no change in party tickets before elections and all parties will vote.

JEFFERSON

817.00/2710 : Telegram

The Special Military Attaché at Managua (Miller) to the Secretary of State

MANAGUA, *September 30, 1920—11 a.m.*
[Received October 1—10 a.m.]

47. Military Intelligence. The President today issued proclamation covering subject matter of the State Department suggestions of September 16th. He has provided:

1st. That the Coalition Party shall be entitled to an inspector in each voting place who is to have the same rights and immunities as a member of the election board.

2d. In lieu of the Department's suggestion as to allowing a vote to citizens not inscribed in the catalogues, he has decreed that all

citizens will be allowed to cast a ballot whether inscribed or not. When the votes are counted however there will be rejected the votes of all citizens whose names do not appear in the official catalogues.

I consider this arrangement is fairly satisfactory. In the first place it will materially expedite the casting of ballots and ought undoubtedly keep down disturbances while actual voting is going on and while the crowds of voters assembled. In the second place it will enable the Department to learn, 1st, the relative strength of both parties according to the catalogues and, 2d, the actual voting strength of each. Upon the basis of this latter information the Department may, subsequent to the election and before the final canvass of the vote by Congress in December, determine if it so desires what if any different action should be taken with reference to votes cast by citizens not inscribed in the catalogues.

Election begins Sunday and lasts two days. Urtecho independent Conservative is still in the race and may materially affect final result.

MILLER

817.00/2713 : Telegram

The Minister in Nicaragua (Jefferson) to the Secretary of State

MANAGUA, *October 4, 1920—11 a.m.*
[Received 5:15 p.m.]

47. Election apparently proceeding quietly, no report of disturbances on the first day of voting. Government informed me thus far incomplete returns indicate large vote cast for Conservative Party. Coalition claims some hindrance to their voting in outlying districts and repeating. Government informed me as a precautionary measure to keep down disturbing rumors restriction[s] were placed on use of telegraph and telephones yesterday. Miller visited Granada and Masaya.

JEFFERSON

817.00/2715 : Telegram

The Special Military Attaché at Managua (Miller) to the Secretary of State

MANAGUA, *October 5, 1920—noon.*
[Received 11:30 p.m.]

5. Military Intelligence. Elections terminated yesterday without any disturbance whatsoever in the country. Fifty-seven thousand votes were cast Sunday and approximately 35,000 yesterday. Incomplete preliminary returns furnished by the Government show

80,000 votes cast in the two days of which Conservatives have 52,700 and Coalition 27,300. Urtecho, independent Conservative, appears to have polled less than 1500 votes. Will advise later as to final result.

Coalition Party is protesting election in many places and will doubtless appeal to State Department.

MILLER

817.00/2716 : Telegram

The Secretary of State to the Minister in Nicaragua (Jefferson)

WASHINGTON, *October 11, 1920—6 p.m.*

47. Department has received reports of protests by Coalitionists in Bluefields against alleged action of Government in preventing voters from voting and to the effect that Coalitionists have cast their votes in the presence of notaries. Endeavor to get full report from Consul and transmit to Department.

COLBY

817.00/2741a : Telegram

The Acting Secretary of State to the Minister in Nicaragua (Jefferson)

WASHINGTON, *December 1, 1920—noon.*

51. Your October 13, 11 a.m.[9] and previous telegrams relating to the conduct of the elections.

The Department has given very careful consideration to the comprehensive report made by Major Miller of the Presidential elections [9] and it has reached the following conclusions:

1. That fair elections cannot be held under the existing election law.
2. That so far as any accurate estimate can be made, the strength of the two contending parties in the recent elections was very nearly identical.
3. That while violence and intimidation, fortunately, were not practised by the Governmental authorities during the recent elections, except in a few scattered instances, gross fraud was undoubtedly practised by the authorities of the Government, both in the registration and in the counting of votes cast.

It is apparent that widespread dissatisfaction exists in Nicaragua with the outcome of the elections and that this dissatisfaction is by no means confined to the members of the Coalition Party, but exists

[9] Not printed.

as well among the members of the Conservative Party because of the manner in which the elections were conducted and because of the fact that the election of Diego Chamorro implies the continued control by one family of the Executive power in Nicaragua. It is evident that disturbances are liable to occur unless very radical measures are at once adopted by the Government with a view to satisfying the aspirations of a large majority of the people for immediate reform in the electoral system. The Department believes that if the Government gives at once unmistakable evidence of the intention which it has so often expressed, and as often postponed, to have adopted an election law which shall in fact guarantee to all the voters in Nicaragua equal opportunity to avail themselves of their Constitutional right of suffrage, revolutionary disturbances of a serious character may be avoided.

You are therefore instructed to obtain at once an audience with President Chamorro and inform him of the belief of the Department as above indicated. You may state to him that the Department deeply regretted his unwillingness three months before the elections to adopt the suggestion of the Department made at that time, that he avail himself of the services of some recognized authority in the United States, such as General Crowder, to assist the Government of Nicaragua in drafting a new and fair election law in order that that law might be enforced during the recent elections. You may say that the Department, while regretting the President's decision, did not press the matter at that time because of the brief period then remaining before the date of the elections and because of the domestic political situation then existing in Nicaragua. The situation has now, however, changed and the Department confidently expects that President Chamorro will now comply with the Department's suggestion and indicate to you his willingness to avail himself of the services of some expert recommended by this Government in order that he may assist the Government of Nicaragua in the drafting of a new election law to be presented to the Nicaraguan Congress at the next regular session. Since that session must terminate, it is understood, on the 15th of next March, it is evident that work on the project of the new election law should be commenced without delay. Because of the special relations existing between this Government and that of Nicaragua, and because of the official statement made through your Legation last June,[10] in which was expressed the earnest hope of this Government that the recent elections would be entirely fair, the Department feels it a special obligation to use its influence with the Government

[10] See telegram no. 25, June 26, to the Minister in Nicaragua, p. 295.

of Nicaragua in order that, in the future, elections may be held under a law which safeguards the rights of every voter.

The Department believes, likewise, that the immediate passage of a fair election law may not be sufficient to remove from the members of the Coalition Party their well-founded resentment at the manner in which the recent elections were conducted. The suggestion has been made that revolutionary disturbances might be avoided if Diego Chamorro were willing to include among the members of his cabinet leaders of the Coalition party. Make discreet investigation both as to whether Diego Chamorro would be disposed to form a Coalition cabinet and whether such a compromise would be acceptable to the Opposition Party.

Cable report as soon as possible, communicating at the same time, your opinion as to the practicability of making representations along these lines to Diego Chamorro and report at once result of your interview with the President.

DAVIS

817.00/2744 : Telegram

The Minister in Nicaragua (Jefferson) to the Acting Secretary of State

MANAGUA, *December 9, 1920—2 p.m.*
[Received 11:55 p.m.]

63. My telegram number 62, December 8, noon.[11] President Chamorro delayed visit to Granada until this afternoon for the purpose of further discussion of election question with me. He stated that he wished to know first from the Department if he accepted election expert and passed new election law whether the new law would affect the results of recent presidential elections or become effective next regular presidential elections 1924.

Regarding appointment of members of Coalition in cabinet, President Chamorro remarked that he thought that Diego Chamorro might be willing to do this. However, the President believed that unless I could have harmonize[d] factions nothing could be accomplished. Informally discussing this phase of question with some of the leaders of opposition, I noticed a reluctance on their part to enter into such an arrangement now. I shall endeavor to see what can be done along these lines.

JEFFERSON

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[11] Not printed.

817.00/2744 : Telegram

The Acting Secretary of State to the Minister in Nicaragua (Jefferson)

WASHINGTON, *December 11, 1920—1 p.m.*

53. Your December 9, 2 p.m.

You may advise the President that the suggestion of the Department was made with the understanding that any new election law which might be passed in the next session of the Nicaraguan Congress would not be construed as being retroactive and would necessarily apply only to future elections.

DAVIS

817.00/2745 : Telegram

The Minister in Nicaragua (Jefferson) to the Acting Secretary of State

MANAGUA, *December 13, 1920—3 p.m.*
[Received December 14—2:25 p.m.]

64. Department's December 1, noon and December 11, 5 [*1*] p.m. The President accepts sending of election law expert and prefers General Crowder.

Schemers [*leaders?*] opposition parties inform me they will file election protests with congressional committee within a few days. They hope Department will support them in annulling elections.

The President and President Elect Chamorro informed me this morning that they would hold a conference with influential liberal leaders of León looking to an arrangement with the Liberal Party.

In view of conclusions of the Department and the early coming of the election expert here and the numerous inquiries of all factions as to the Department's decision is it convenient at this time for me to make known publicly the Department's position regarding recent presidential elections? I presume that unless otherwise instructed I am to attend inauguration of Diego Chamorro, January 1st.

JEFFERSON

817.00/2745 : Telegram

The Acting Secretary of State to the Minister in Nicaragua (Jefferson)

WASHINGTON, *December 15, 1920—6 p.m.*

55. Your December 13, 3 p.m.

The Department is gratified to learn of the President's decision to comply with the Department's recommendation that an expert in

electoral legislation suggested by this Government be employed by the Government of Nicaragua in the drafting of a new election law. Please cable at once whether the Government of Nicaragua accepts the recommendation of this Government with the understanding that the project for a new election law, in the drafting of which the services of the expert recommended by the Department will be utilized, will be presented upon its completion, without delay, to the Nicaraguan Congress, and that every facility will be afforded the American expert in his duties by the Government of Nicaragua.

In order that there may be no possible misunderstanding in this regard, the Department desires that the understanding be confirmed by an exchange of notes. The Department believes it advisable to issue no statement regarding the position of this Government concerning the recent Presidential elections until the election law expert has been retained by the Nicaraguan Government and until it is ascertained whether any arrangement can be effected by Diego Manuel Chamorro with the leaders of the Liberal party.

DAVIS

817.00/2746 : Telegram

The Minister in Nicaragua (Jefferson) to the Acting Secretary of State

MANAGUA, *December 16, 1920—noon.*

[Received 9 : 30 p.m.]

65. José Estéban González, Coalition presidential candidate, died suddenly early this morning, apoplexy reported cause of death.

JEFFERSON

817.00/2748 : Telegram

The Minister in Nicaragua (Jefferson) to the Acting Secretary of State

MANAGUA, *December 18, 1920—10 a.m.*

[Received 10 : 12 p.m.]

66. Department's December 15, 6 p.m. President Chamorro agreed to exchange of notes regarding election law expert and stated that his note would make clear that new law would not be retroactive but applies to future elections. Will telegraph Department upon receipt of note.

JEFFERSON

817.00/2762

The Minister in Nicaragua (Jefferson) to the Acting Secretary of State

No. 917 MANAGUA, *December 22, 1920.*

[Received January 24, 1921.]

SIR: Supplementing my telegram No. 67 of December 18, 4 P.M.[11] I have the honor to transmit herewith copy and translation of the note of December 18, 1920, from the Foreign Office, in which the Government of Nicaragua requests that the Government of the United States send to Nicaragua an expert on electoral law for the purpose of aiding the Government of Nicaragua in drafting a new election law. Also I have the honor to enclose herewith copy of my F. O. note No. 445 of December 21, 1920[12] in reply to the above mentioned note from the Foreign Office.

I have [etc.] BENJAMIN L. JEFFERSON

[Enclosure—Translation[13]]

The Nicaraguan Acting Minister of Foreign Affairs (Pasos Díaz) to the American Minister (Jefferson)

MANAGUA, *December 18, 1920.*

YOUR EXCELLENCY: His Excellency the President of the Republic desires that the people of Nicaragua shall not only enjoy the rights which are reserved to them in the Constitution, but also feel that they have guaranteed to them in full the exercise of those rights.

Therefore, although he believes that the present electoral law establishes the necessary means for correcting any offense whatever against the liberty of suffrage, he desires that that law be so modified in form that no one may be able to doubt the efficacy of its purposes. And nothing appears better to this Government for attaining that object than to ask the Government of the United States of America, so worthily represented by Your Excellency, that it may be pleased to secure for Nicaragua the services of General Crowder or some other expert in the matter, in order that he may lend his services to this country in the preparation of a project for an electoral law. The project will be submitted to the Legislative Power as soon as ready, as much because the President desires that the promise which he made in his recent message be

[11] Not printed.
[12] Not found in Department files.
[13] File translation revised.

fulfilled, as because, although the next elections of President and Vice President of the Republic will take place in 1924, he desires that the law be enacted in the present session of Congress in order that it may begin to be applied to the elections which will take place for replacing the senators and deputies whose term of office may expire, and to the elections of local authorities which may occur.

The expert which the Government of Your Excellency may be pleased to recommend will receive from this Government all the necessary aid for the best fulfillment of his charge.

In advance I express to Your Excellency and to your Government the most sincere thanks, and avail myself [etc.]

HUMBERTO PASOS D.

817.00/2751 : Telegram

The Minister in Nicaragua (Jefferson) to the Acting Secretary of State

MANAGUA, *December 23, 1920—10 a.m.*

[Received December 24—5:10 p.m.]

68. Yesterday Congress declared Diego Chamorro elected President and Bartolomé Martínez Vice President.

Apparently no agreements have been made between President elect and opposition parties which are awaiting Department's decision. I believe announcement of Department's decision will aid materially in clearing up political situation.

Chargé d'Affaires of Honduras informed me he had instructions from the President of Honduras not to attend the inaugural of the President Don Diego unless I attend. I desire instructions regarding my attendance.

JEFFERSON

817.00/2751 : Telegram

The Acting Secretary of State to the Minister in Nicaragua (Jefferson)

WASHINGTON, *December 29, 1920—3 p.m.*

57. Your 68, December 23, 10 a.m.

You are instructed to attend the inauguration of Don Diego Manuel Chamorro. The Department believes that no announcement by the Legation of the decision of this Government to recognize Don Diego Chamorro as President of Nicaragua is necessary and that your presence at the inauguration will be sufficient indication

to the people of Nicaragua and to the Governments of the other Central American Republics of the intention of the Government of the United States to deal with Diego Chamorro, after his inauguration, as the Constitutional President of the Republic. The customary telegram of formal felicitation will be sent by the President on January 1.

It has not yet been determined whether General Crowder will be able to undertake the duty of assisting the Government of Nicaragua in the drafting of a new election law. As soon as a decision on this point is reached, you will be notified by cable accordingly and in the event that General Crowder is unable to accept this duty, the Department will endeavor to procure, as soon as possible, some other expert qualified to undertake this work.

DAVIS

DENUNCIATION BY NICARAGUA OF THE CONVENTION OF AUGUST 20, 1910, CONCERNING THE PROTECTION OF TRADE MARKS

(See volume I, pages 218 ff.)

CONFERENCE AT AMAPALA BETWEEN THE PRESIDENTS OF HONDURAS AND NICARAGUA—AGREEMENT OF NOVEMBER 17, 1920

(See volume I, pages 318 ff.)

PANAMA

NEGOTIATIONS RELATING TO THE ACQUISITION BY THE UNITED STATES OF LANDS ON THE ISLAND OF TABOGA AND ON LAS MINAS BAY FOR THE BETTER PROTECTION OF THE PANAMA CANAL

819.52/107

The Secretary of State to the Panaman Chargé (Lefevre)

WASHINGTON, *January 19, 1920.*

SIR: With reference to previous correspondence between yourself and the Department relative to the acquisition of a part of Taboga Island, Republic of Panama, by the United States for fortification purposes,[1] I desire to make known to you, at the request of the Secretary of War, that it will be necessary for the safety and protection of the Canal for the United States to acquire a part of the Island in the near future in order to place fortifications thereon.

In order, however, to allay as much as possible any anxiety on the part of the inhabitants of the Island whose land must be expropriated, I desire to assure you that no step will be taken in the expropriation of the inhabitants of the Island without every consideration possible for their interests and convenience. In view of the improbability of initiating the construction of defensive works on a large scale on Taboga Island in the year 1920, the United States Government is anxious to adopt a liberal policy in regard to the removal of inhabitants of that portion of the Island transferred to its jurisdiction.

Accept [etc.] ROBERT LANSING

819.52/113

The Panaman Chargé (Lefevre) to the Secretary of State

[Translation[2]]

D–No. 43 WASHINGTON, *January 29, 1920.*

EXCELLENCY: At the end of last week I received a letter from Your Excellency dated the 19th instant, with reference to corre-

[1] Previous correspondence not printed.
[2] File translation revised.

spondence previously exchanged between the Department of State and this Legation, regarding the proposed acquisition on the part of the Government of the United States of a part of the island of Taboga, which certain military engineers of the War Department consider suitable for the establishment of fortifications for the better defense of the Canal.

In the above-mentioned note Your Excellency thought well to inform me, on behalf of the Secretary of War of this country, that the United States considered it necessary, for the security and protection of the Panama Canal, to acquire a part of the above-mentioned island in the near future with a view to erecting fortifications upon it. At the same time on account of the importance which the Republic of Panama attaches to that portion of its territory, Your Excellency is pleased to assure me that it will not take any steps in regard to the expropriation which it will be necessary to make, without giving all possible consideration to the interests and convenience of the inhabitants of that section, whose natural anxiety it is desired to alleviate as much as possible.

I have taken due note of the important statement made by Your Excellency that, in view of the improbability of beginning in the present year the proposed works of fortification, the Government of the United States has the greatest desire to adopt a liberal policy in respect to the inhabitants of that part of the island of Taboga which will pass to the jurisdiction of the above-referred-to Government.

Permit me to inform Your Excellency, on my part, that I have sent to my Government a copy of the note of Your Excellency, and that I have requested, at the same time, instructions in the case, in order to be able to arrive at satisfactory conclusions which may justly protect the interests of our respective countries.

I avail myself [etc.] J. E. LEFEVRE

819.52/115

The Panaman Chargé (Lefevre) to the Acting Secretary of State

[Translation [3]]

D–No. 60 WASHINGTON, *February 17, 1920.*

EXCELLENCY: I take the liberty to inform Your Excellency that under date of September 18 of last year the Governor of the Canal Zone wrote a communication to the President of the Republic of Panama in which he informed him that in accordance with article

[3] File translation revised.

II of the Canal Treaty the United States Government had occupied a certain tract of Panaman land called Largo Remo in Las Minas Bay adjoining the Panama Canal Zone, deeming it necessary for the protection of the Panama Canal. In order to have this important business transacted through the regular channels, the President of Panama referred that communication from the Governor of the Canal to the Secretary of Foreign Relations; and, in view of the foregoing, the Secretary of that Department has instructed me to say to the Government of the United States through Your Excellency's worthy medium that the Panaman Government regards the proceeding adopted on that occasion by the authorities of the Panama Canal as irregular, as the land above mentioned was occupied without giving any previous notice whatever of that decision, thus apparently ignoring the sovereignty and jurisdiction of Panama over the said land.

The Secretary of Foreign Relations of my country directs me to say to Your Excellency at the same time that my Government trusts that the Government of the United States will, as it has done in former cases, indemnify the Republic of Panama for the loss of the territory just occupied by the Canal Zone authorities, wherein Your Excellency's colleague, the Honorable Newton D. Baker, Secretary of War, concurs.

I further deem it proper most respectfully to draw Your Excellency's attention to the expediency of establishing, through an agreement between the State Department and the Legation, the *modus operandi* to be followed hereafter whenever the Government of the United States may find itself under the necessity of availing itself of the faculty conferred upon it by article II of the Canal Treaty.[4] That treaty, as is well known to Your Excellency, is a law substantive and therefore requires for its interpretation and application, in cases like that under consideration, a *modus operandi* to be established in the manner observed on a similar occasion under the administration of President Roosevelt who specially delegated to his Secretary of War, the Honorable W. H. Taft, the power to bring to a satisfactory solution the differences of interpretation and action that had then arisen.[5]

Taking into account the fact that the Governments of the United States and Panama are equally interested in having our close relations progress not only in the best harmony and without the slightest friction, but also be marked by a signal spirit of cooperation and inspired by the most cordial sentiments of friendship, I take the

[4] *Foreign Relations*, 1904, p. 543.
[5] See *ibid.*, pp. 585 ff.

liberty of informing Your Excellency that I have my Government's full power to proceed with Your Excellency in bringing about equitable and satisfactory conclusions for the legitimate interests of our two countries which would avert the difficulties and differences that have arisen until now and may arise in the future.

With sentiments [etc.] J. E. LEFEVRE

819.52/123

The Panaman Chargé (Lefevre) to the Secretary of State

[Translation [6]]

D–No. 208 WASHINGTON, *April 30, 1920.*

EXCELLENCY: Referring to my note D–No. 43 of January 29th, last, answering Your Excellency's very important communication of the 19th of the same month, in relation to the intended acquisition of part of the island of Taboga in the Republic of Panama by the United States of America, with a view to erecting thereon fortifications that are thought to be needed for the defense of the Canal, I have the honor to inform Your Excellency that upon my applying for instructions from my Government to return a final answer to the said note of Your Excellency, I was instructed under date of February 24th, last, that before reaching any decision in that important matter the Government of Panama would like to know what part of the island of Taboga the United States Government considers to be suited to the purposes of defense and protection of the Canal.

My Government has instructed me also to bring the foregoing to the knowledge of the Department of State and asked me at the same time to make known to Your Excellency my country's wish that the cession of that valuable national territory be reduced to the smallest possible area in case it were altogether indispensable for the defense of the Canal, in order that the inhabitants be not compelled to give up drawing their own sustenance from the fields and plantations which form the main wealth of that island.

My Government also wishes me to put it on record that in its opinion the contemplated cession does not come under that part of article II of the Canal Treaty which refers to the auxiliary waters and lands to which the necessities of the said Canal are confined. My Government bases that opinion on the fact that the islands offer a special case as may be clearly deduced from the last part of the article above referred to, which clearly states that the ceded islands

[6] File translation revised.

are those of Naos, Culebra, Perico and Flamenco. It is clear therefore that Taboga is not included among those and that as a consequence the United States Government must pay compensation for the property taken over whether public or private.

The undersigned refrained from presenting the foregoing claims in writing because on the strength of Secretary Lansing's note of January 19, heretofore cited, the Legation thought that the most expeditious method was to have preliminary conferences at the Department of State in order to harmonize as far as possible the interests of our respective countries through the most efficacious and friendly cooperation.

At this stage of the proceedings and while the Legation and the State Department were considering the most expedient means to achieve the result which the Government of the United States declared to be its aim according to a positive declaration made in the second paragraph of the said note of January 19th, I received on the 26th of this month a cablegram from my Government by which I am informed that while our Governments were discussing through their respective Legations the area of land which the United States wishes to acquire in Taboga for fortifications, the Canal authorities have sent to that island a land inspector named Genac, accrediting him to the Mayor of the District to settle the claims to land taken on the island.

As a detail pertinent to the question, I take the liberty of informing Your Excellency that the said Genac is the same man who acted as a witness consistently antagonistic to the interests of the persons who applied to the recently dissolved Joint Commission for the settlement of their claims against the American Government. I believe that this circumstance makes it impossible to grant to the said Inspector Genac any claim of impartiality.

On account of the needed expropriation not having yet been granted and as the Republic of Panama is exercising sovereignty over the island, the Mayor of Taboga, as might be expected, would not recognize as official the mission of the said Genac, and the Department of Foreign Relations asked that the work be stopped.

My Government, in view of what has happened, directs me to declare to Your Excellency its great surprise at the action of the authorities of the Canal Zone in attempting to come to an understanding with subordinate officials of the Government of Panama and with private parties, ignoring the regular channels, a proceeding which is inconsistent with international practice. My Government's surprise is all the greater at its being told by the Governor of the Canal that the instructions which he has received from the War Department do not agree with the assurances given by the

State Department to the Government of Panama in the aforesaid note of January 19th, last, to the effect that the contemplated work would not be done on a large scale during the current year and that the inhabitants would be treated with all the consideration that the case admitted, a statement which is not in harmony with the sending of Genac or with his recent doings.

In view of the fact that the State Department officially declared to the undersigned that the work of greater importance for the fortifications of Taboga would not begin in 1920, my Government thinks that the preliminary work could be done without the necessity of condemning land at present.

My Government further thinks that such lands as are condemned should be reduced to a minimum comformably to the declarations made by the Secretary of State, Mr. Lansing, and that before effecting such condemnations, the amount of land indispensable for the intended fortification work should be decided on as well as the fair compensation for the losses and damages caused by the occupancy of that land.

I do not wish to close without saying to Your Excellency how glad I shall be to cooperate with the Department of State so as to carry out the wishes expressed by the Government of the United States in the above-mentioned note of January 19 of this year.

I avail [etc.] J. E. LEFEVRE

819.52/132

The Panaman Chargé (Lefevre) to the Secretary of State

[Translation [5]]

D–No. 220 WASHINGTON, *May 7, 1920.*

EXCELLENCY: Supplementing my note D–No. 208 of April 30th, last, relative to the proposed occupation of part of Taboga Island for the purpose of building fortifications for the better defence of the Panama Canal, I have the honor to lay before Your Excellency the substance of my Government's wishes in this delicate matter as follows:

1. Reduction to a minimum of the area to be occupied, as I said in my above-mentioned note of April 30th. My Government believes that 250 (two hundred and fifty) hectares would answer the purpose, and that to take more would force the Tabogans to emigrate and abandon their homes.

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[5] File translation revised.

2. The land should be condemned only as it is needed for the work under way, and the condemnation should be with the assistance of the Panaman Government or through the Joint Commission created by the Canal Treaty.

3. The Tabogans should not be deprived of those things which a community must have for its immediate subsistence and hygiene; for instance, an attempt has been made to take their water supply, and occupy the cemetery where the remains of their forefathers lie.

I take the liberty of most respectfully calling Your Excellency's attention, in connection with point 3 of this note, to the advisability of having the military authorities solve the question of drinking water by artesian or deep wells, for the boring of which there is available machinery in the Isthmus. No heavy outlay would thereby be entailed upon the United States Government, while the cutting off of drinking water would work untold injury upon the Tabogans.

I avail myself of this opportunity to renew to Your Excellency my earnest offer to cooperate with the State Department in having all that relates to the subject under consideration settled in a manner satisfactory to both parties in the most friendly cooperation.

I take [etc.] J. E. LEFEVRE

819.52/132

The Secretary of State to the Panaman Chargé (Lefevre)

WASHINGTON, *May 19, 1920.*

SIR: I have the pleasure of acknowledging the receipt of your communications of April 30 and May 7 relative to the acquisition of land required for defensive purposes on Taboga Island.

In reply I have the pleasure of informing you that the several points to which you allude in these two communications are receiving the Department's serious consideration in view of the desire of this Government to conciliate the best interests of the residents of Taboga Island with the strategic requirements of the Canal Zone.

Accept [etc.]

For the Secretary of State:
FRANK L. POLK

819.52/145

The Secretary of War (Baker) to the Secretary of State

[Extract]

WASHINGTON, *July 14, 1920.*

SIR: With reference to previous correspondence relative to the acquisition of land on Taboga Island, Republic of Panama, I have

the honor to invite your attention to the enclosed copy of a letter from the Governor of the Panama Canal, dated June 18, 1920,[6] and enclosures thereto.[7]

. . . . . .

Respectfully,

NEWTON D. BAKER

[Enclosure—Translation]

The Panaman Sub-Secretary of Foreign Relations (Hazera) to the Executive Secretary of the Panama Canal (McIlvaine)

S.P.No. 1362 PANAMA, *June 12, 1920.*

MY DEAR MR. SECRETARY: I received in due time the courteous letters dated the 25th of May and the 9th of June, from the Executive Department of the Panama Canal, in the first of which, Acting Governor Col. Morrow transmitted the cablegram from His Excellency the Secretary of War of the United States, dated the 22nd of May, relative to Taboga Island and in the last one it was asked that the President of the Republic approve a plan inclosed therewith and issue certain orders to facilitate the purchasing of the property marked in such plan as required by the Government of the United States of America.

I transmitted such letters to the President, and he has asked me to answer them as follows:

"The question of the acquisition by the Government of the United States of a portion of the island of Taboga for the defense of the Canal, has been and at present is the subject of diplomatic negotiations between the Governments of our two countries by the means used in such cases, and up to now the two Governments have not reached an understanding as to the absolute necessity of using the said portion of the island of Taboga, nor have they come to an understanding as to the interpretation to be given to article II of the Canal Treaty."

The Panama Government insists that in order that the government of the United States may obtain a legal valid title over any portion of the island of Taboga, a special agreement must be entered into between the two countries, as the jurisdiction and domain of the Sovereign cannot be transferred by official communications exchanged between subordinate employees.

But as the Panama Government does not wish to hamper the work of the Governor of the Canal Zone, as the same might have an urgent nature, it agrees in the provisional occupation of the areas

[6] Not printed.
[7] Only one enclosure printed.

marked in the map attached, which cover in all an extension of 14 hectares, 9500 square meters, leaving to the pending diplomatic negotiations the question of arranging the form that this concession should have in order to make it valid and final, as well as the procedure for the indemnification to the private owners and the compensation to which the Republic is entitled. Therefore, the Executive Power has issued Decree No. 15 today, provisionally permitting the Government of the United States to use, occupy and control the areas mentioned, commencing on the 16th instant.

It must be likewise understood that there shall remain excluded from such areas, the road that leads from the town to the port or cove of Ancon, so that the inhabitants may always enjoy the right-of-way while going from the northern to the southern part of the island, by the road over which they transit now.

In accordance with your request, I return herewith one of the plans sent by you. The other one shall be kept confidentially as desired by you.

I am [etc.] EVENOR HAZERA

PARAGUAY

TERMINATION OF THE ASUNCION PORT CONCESSION OF THE CONSTRUCTION AND ENGINEERING FINANCE COMPANY; REPRESENTATIONS BY THE UNITED STATES ON BEHALF OF THE COMPANY

834.156/9 : Telegram

The Secretary of State to the Chargé in Paraguay (Sussdorff)

WASHINGTON, *December 10, 1917—6 p.m.*

You are instructed to use your informal good offices with Paraguayan Government to obtain an extension of the contract of the Construction and Engineering Finance Company, which, owing to the war, has been unable to finance and obtain material for construction of port and dock system.

LANSING

834.156/11 : Telegram

The Chargé in Paraguay (Sussdorff) to the Secretary of State

ASUNCION, *February 11, 1918—12 noon.*

[Received 10:45 p.m.]

Referring to the Department's telegram of December 10, 6 p.m. The President of the Republic informed me today that he has decided to deny the port works company's petition for extension, a copy of which accompanied my despatch number 278 of January 5, 1918,[1] because he considers [that] *force majeure* does not exist and that the company has failed to comply with its promises. He added that the concession will be declared void in June of this year. President's attitude unanimously indorsed by the Cabinet.

SUSSDORFF

834.156/17

Memorandum by Mr. Ferdinand Mayer, Division of Latin American Affairs, Department of State

[WASHINGTON,] *June 7, 1918.*

The Port Works Company[2] desires to obtain an extension of its concession to construct the port works of Asunción, the time of this

[1] Not printed.

[2] i.e., the Construction and Engineering Finance Co.

concession having elapsed. The Paraguayan Government is adverse to granting such extension. The Company has asked the Department to intercede in its behalf with the Paraguayan Government and the Department instructed the Legation at Asunción to support it if it is a strong and desirable American firm.[3]

Despatch No. 300, April 9, 1918,[4] from the Legation at Asunción reports as follows:

(1) The desire of the Port Works Company to have the question arbitrated, to which the Paraguayan Government is adverse because the only question involved is the existence or non-existence of *force majeure* which, by virtue of Article 3 of the company's concession is to be determined by the executive power.

(2) The concession forbids, with certain exceptions the operation of any port for importation or exportation within a distance of thirty kilometers from the port of Asunción.

(3) The operation of this article of the concession would be very disadvantageous to the Central Products Company and the Swift Company Frigorificos, involving as it would a charge by the company against the Frigorificos for service never received by them.

(4) The Paraguayan Government appears genuinely interested in the American Frigorificos, and their existence, along with other manufacturing companies, is of first importance to the economic development of Paraguay. Also that Government feels that the Port Works concession is too comprehensive.

(5) The Paraguayan Government does not feel that the Port Works Company has acted frankly or in good faith in this matter.

(6) In the premises the Legation at Asunción does not believe that the Department should give the company any further assistance, suggesting, however, that if the efforts of the company to have their concession extended is unsuccessful, the refunding of the $20,000 gold guarantee might be arranged between the Paraguayan Government and the Port Company.

This report from the Legation is well thought out and well expressed; briefly, it appears to submit that the present and future advantages of the spread of American trade throughout Paraguay would be greatly hampered by the extension of the Port Works concession and that therefore such extension is not desirable.

This division concurs in the sentiments above noted and recommends that the Department tactfully advise the Port Works Company that this Government does not feel able to proceed further in assisting the Port Works Company in obtaining an extension of their concession.

F[erdinand] M[ayer]

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[3] Instruction no. 79, Jan. 11, 1918; not printed.

[4] Not printed.

834.156/16 : Telegram

The Secretary of State to the Minister in Paraguay (Mooney)

WASHINGTON, *June 12, 1918—5 p.m.*

Your number 300, April 9.[5]

You are instructed only to assist representative of Port Works Company in securing an opportunity to state its case to the appropriate Paraguayan official.

LANSING

810.00/a
34

The Minister in Paraguay (Mooney) to the Secretary of State

[Extract]

ASUNCION, *October 1, 1918.*
[Received December 3.]

SIR:

. . . . . .

Referring to the numerous despatches of this Legation on the subject, attention is called to the Paraguayan grant of a port works and reclamation concession to the Construction and Engineering Finance Company, a subsidiary of MacArthur Bros., of New York, for an improvement in the city of Asuncion, and the final forfeiture of said concession for the non performance of obligations imposed upon the concessionaire thereunder. It is unlikely that this concession will be renewed unless some very attractive consideration moves to [*sic*] the Paraguayan Government therefor. The grant of a loan would probably be sufficient consideration to influence such a renewal.

The Italo Argentino Company recently made purchase of the property and holdings of the Asuncion Light Tramway and Power Company, an English corporation, and is now operating its business. The purchase[r] is said to be well supplied with funds, and confidential advices from men high in official affairs in Paraguay are to the effect that inquiry has been made as to whether the port works concession would be renewed if purchased by the Italo Argentino Company and an intimation has been conveyed that a reasonable loan would be made to the Paraguayan Government in consideration of the renewal and extension of the concession.

. . . . . .

I have [etc.] DANIEL F. MOONEY

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[5] Not printed.

834.156/18 : Telegram

The Acting Secretary of State to the Minister in Paraguay (Mooney)

WASHINGTON, *December 14, 1918—6 p.m.*

Referring your summary local events dated October 1st, page six,[6] you are instructed to watch developments closely. If it should appear probable that the Government of Paraguay contemplates a regrant of concession mentioned and of a foreign loan in connection therewith, you will advise Paraguayan Government that financial and contracting interests of the United States would appreciate opportunity of presenting competitive offers that connection.

POLK

834.156/19

The Minister in Paraguay (Mooney) to the Acting Secretary of State

No. 397 ASUNCION, *December 23, 1918.*
[Received February 8, 1919.]

SIR: Referring to the Department's cable instruction of December 14, 6 p.m., in the matter of the port works concession and, incident thereto, the possible consummation of a loan long desired by the Paraguayan Government, I have the honor to report that I have had a full discussion of the subject with Dr. Ayala, the Paraguayan Minister for Foreign Affairs, and learned that it is a fact that an intimation had been conveyed to the Paraguayan Government that a loan might be granted in connection with a revival of the port works concession, which the Paraguayan Government now regards as expired by reason of laches of the concessionaire. The offer was made by a claimed representative of Superveille & Cia., the French banking house of Buenos Aires and Montevideo. While I have but little evidence to support the suspicion I believe the obscured source of the offer was the Engineering Construction and Finance Company, the original grantee of the concession. A circumstance lending color to the suspicion is that the active agent of the concessionaire, Henry L. Janes, once in the American diplomatic service, made his home for some time in Montevideo, is acquainted in banking circles there, and would doubtless try to vivify the grant through an intermediary, after having failed to accomplish that object by direct negotiation.

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[6] See extract, *supra*.

Dr. Ayala said, with unreserved positiveness, that no serious consideration would be extended to this offer by the Paraguayan Government, but that final and unalterable conclusion had been reached by his Government to regard the port works concession as defunct; and that the present Government would neither revivify nor consider a substitute therefor, either alone or in connection with any other project. He said that the port would be improved incidental to a reclamation project at the earliest convenient time, but that the work would be done by the Paraguayan Government and that the port would then be operated for public revenue.

For this purpose, and more for the purpose of stabilizing the medium of Paraguay, as well as to retire two outstanding loans, a loan to this Government upon fair terms would now be viewed with favor. Estimates of the amount that would be necessary to accomplish these purposes take a range of from $10,000,000 to $20,000,000, though in the interest of conservatism the loan should be kept as near as possible to the first named figure.

The wide and frequent fluctuation in the value of Paraguayan money, the same not infrequently changing as high as 3% daily, and having advanced 100% in value during the last year with no logical reason therefor, wherefore the increased value is regarded as unstable and treated with suspicion, is most prejudicial to Paraguayan commerce and is giving growth to a crystalized sentiment in favor of some fixed and inflexible value for the local circulation. This can not be done without a sufficient gold reserve which is building up slowly but the business interests are disinclined to await its completion by accretions from revenue. Therefore the desirability of a public loan.

Heretofore on account of lack of governmental stability Paraguay has not been regarded as an attractive field for public investment, but conditions are now changed and the politics of Paraguay are but little if any more turbulent than in the other South American republics.

Minister Ayala further stated, both on his own behalf and as quoting President Franco, that it is highly desirable to create closer relations with the United States and, that, accordingly, a favorable loan proposition on the part of American financial institutions at this time would be given such an interpretation, if possible, as would result in a consummation of the loan. It is my personal belief that Paraguay is in such a receptive condition for a loan at this time that deserving investors should improve the opportunity.

I have [etc.] [DANIEL F. MOONEY]

834.156/18

The Acting Secretary of State to the Paraguayan Minister (Gondra)

No. 3 WASHINGTON, *February 7, 1919.*

SIR: The Construction and Engineering Finance Company of New York have made representations to this Government in respect to the alleged premature termination by a decree of February 21, 1918, of a concession granted to this company by the Paraguayan Government. The main facts in the case, briefly stated, are represented to be that on October 18, 1915, a law of the Paraguayan Congress was promulgated authorizing the Government to enter into a contract with the company mentioned for the purpose of improving the port and river front at Asuncion; that on October 25, 1915, a formal contract was signed by the Construction and Engineering Finance Company, for this purpose; that about December 27, 1915, plans for the improvement of the port and river front were submitted to the Paraguayan Government, and were approved by it on March 30, 1916; that owing to the delay of the Paraguayan Government in approving the plans, work was not begun within four months after the promulgation of said law, (the period prescribed in Article III of the said law), and consequently the President, by a decree of February 18, 1916, extended this period two months, (that is, to April 18, 1916); that on this last date the company, in good faith, began construction under said law and contract, and before the suspension of work on November 29, 1916, had expended in materials and labor the sum of $200,000; that owing to the condition brought about by the war, including the increased activity of submarine warfare in the latter part of 1916, and early in 1917, preventing the shipment of materials, machinery, etcetera, and particularly the entrance of the United States into the war, on April 6, 1917, it was impossible to continue and conclude the financing of the project in the United States or elsewhere, or to procure certain necessary machinery for completing the construction of the projected works; that on December 6, 1917, the company duly notified the President of Paraguay of the exigencies of the situation in respect to obtaining the necessary supplies for construction, and requested the recognition of the situation as *force majeure* within the meaning of those terms as used in the law and contract; that on February 21, 1918, the President of Paraguay refused to recognize the plea of *force majeure* and announced the expiration of the contract for noncompliance, on June 18, 1918; and that on March 16, 1918, the company petitioned the Government of Paraguay for arbitration under Article XXIX of the law mentioned, on the question whether the terms *force*

majeure included the condition resulting from the war which prevented the completion of the projected works.

The company further represents that since the termination of hostilities, and the prospect for a return to normal business conditions, it has every confidence that it will need only a relatively brief interval within which to resume construction under the contract, and that in view of all the circumstances, and in equity and justice, it is entitled to generous consideration in the adjustment of its difficulties.

Relying on these representations, the Government of the United States has examined the law and the other documents presented in the case, and desires to present for your kind consideration its feeling in respect to the matter. I presume it will not be doubted that conditions arising out of the great war, practically since the last of 1916, have affected throughout the world all construction projects which were not necessary for the effective prosecution of the war, and that, as a consequence, there have been great difficulties in obtaining funds, materials and labor for completing construction work already started before that time, or beginning new work since that time. I take it for granted that the Paraguayan Congress and Government having by a law sanctioned, and by a contract provided for, the construction of port works at Asuncion, and having officially celebrated the inauguration of the work by a public ceremonial, participated in by its President and Government Officials on May 29, 1916, did regard those works as highly necessary to the improvement of the port, and for the accommodation of shipping, and that the necessity for such works and the desire of your Government that they be completed, have not been lessened but rather have been enhanced by war conditions, particularly in view of the prospect of increased commerce between the United States and Paraguay, and between Paraguay and other countries upon the return of normal conditions of trade. And I suppose it will be admitted that the advent of peace will be accompanied by facilities for obtaining the requisities of construction. Considering these circumstances, and considering further the friendly relations existing between the two Governments which we represent, I venture to suggest for Your Government's consideration, whether it should not in equity and justice, and in the interest of all parties concerned, interpret Article III of the law so as to allow an extension of the period within which the works contemplated by it were to be completed. I am led to entertain the thought that the President has authority to make such an extension, not only by the terms of the law, but by his act in extending, by the decree of February 18, 1916, the period within which construction was to begin. I

desire, therefore, to propose, informally by way of good offices, on behalf of the company, that the President under the terms of Article III of the law, authorizing him to recognize *force majeure* issue a decree, based upon the presentation of new facts, modifying the decree of February 21, 1918, and extending the period for completion of work to the expiration of twenty-six months after the signature of the Treaty of Peace by the United States. If your Government should find it possible to take such action, the company would have, as I am advised, ample time in which to complete the port improvements proposed, and the present controversy would be adjusted not only to its satisfaction, as it states, but, I venture to assert, to the advantage of Paraguay in securing the completion of a great public work which can not fail to promote the future development of its trade.

Accept [etc.] FRANK L. POLK

834.156/18

The Acting Secretary of State to the Paraguayan Minister (Gondra)

WASHINGTON, *February 26, 1919.*

SIR: I have the honor to refer to my note to you of February 7, 1919, regarding the representations made to this Government by the Construction and Engineering Finance Company of New York with regard to the alleged premature termination of the concession granted to that company by the Paraguayan Government for the improving of the port and river front at Asuncion. In the first paragraph of my note, I called your attention to the fact that the Construction and Engineering Finance Company had in good faith begun construction under its concession on April 18, 1916, "and before the suspension of work on November 29, 1916, had expended in materials and labor the sum of $200,000.00." Upon going over the matter again with the officials of the company, it appears that there may be some possibility of a misunderstanding in the use of the terms "materials and labor", and that the statement would probably be more accurate if it read as follows: "Had expended in materials and labor the sum of $117,000.00 aside from having incurred other obligations imposed by the execution of the contract to an additional amount which would bring the total up to the sum of $200,000.00." I should, therefore, be very glad if you would note this corrected statement in considering the matters set forth in my note of the 7th instant.

Accept [etc.]

For the Acting Secretary of State:
WILLIAM PHILLIPS

834.156/26

The Acting Secretary of State to the Paraguayan Minister (Gondra)

WASHINGTON, *March 13, 1919.*

SIR: I have the honor to refer to my recent notes to you regarding the representations made to this Government by the Construction and Engineering Finance Company of New York, concerning the alleged premature termination of the concession granted to that company by the Paraguayan Government for the improvement of the port and river front at Asuncion. For your further information, I have the honor to inform you that the Department has now received a letter from the Construction and Engineering Finance Company, stating that it has finally made arrangements to secure the necessary funds for carrying out its contract of concession at Asuncion and that these funds will be available as soon as the Paraguayan Government shall have indicated its agreement to the extension of time suggested by this Government in my note to you of February 7, 1919.

Accept [etc.]

For the Acting Secretary of State:
WILLIAM PHILLIPS

834.156/27a : Telegram

The Acting Secretary of State to the Minister in Paraguay (Mooney)

WASHINGTON, *March 25, 1919—5 p.m.*

Referring to Department's despatches February 14, 20, and March 12,[6] regarding extension concession Construction and Engineering Finance Company, you are instructed to cooperate with representative of Company in Paraguay in presenting matter to Paraguayan Government.

PHILLIPS

834.156/27c

The Acting Secretary of State to the Paraguayan Minister (Gondra)

WASHINGTON, *April 19, 1919.*

SIR: I have the honor to refer to my note of February 7, 1919, relating to the application of the Construction and Engineering Finance Company of New York for a modification of the ruling of

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[6] None printed.

the President of Paraguay which had resulted in the alleged premature termination of the above named Company's concession for the improvement of the port and river front at Asuncion. I beg to inquire whether you have received any expression of opinion from your Government upon this subject which may be communicated to this Department.

Accept [etc.]

For the Acting Secretary of State:
WILLIAM PHILLIPS

834.156/28

The Minister in Paraguay (Mooney) to the Acting Secretary of State

No. 4444 ASUNCION, *April 21, 1919.*
[Received May 31.]

SIR: I have the honor to acknowledge the receipt of the Department's cablegram of March 25, 5 P.M., wherein I am instructed to cooperate with the representative of the Construction and Engineering Finance Company for an extension of its concession to build the Asuncion port works, and to report that there is not now a representative of said company in Asuncion save a care taker of its small amount of chattels still remaining in this city, and it is my advice that he is vested with no authority to represent his employe[r] in any matter of negotiation. It is the resolute claim of the Paraguayan Government that this concessionaire has committed a default under the terms of the grant, but should a representative make an effort to secure a reinstatement this Legation will cooperate with him in accordance with the Department's instruction.

I have [etc.] DANIEL F. MOONEY

834.156/19

The Acting Secretary of State to the Minister in Paraguay (Mooney)

No. 124 WASHINGTON, *May 13, 1919.*

SIR: Referring to your unsigned despatch, No. 397, of December 23, 1918, and to those portions thereof relating to (1) the refusal of the Paraguayan Government to extend the port concession in favor of the Construction and Engineering Finance Company, and (2) the suggested loan for the purpose of stabilizing the monetary system of Paraguay, retiring outstanding loans and carrying out the port project at Asuncion under government supervision, you will,

of course, be guided in any action you may take with regard to the former by the instructions sent to you by this Department since the date of your despatch. As to the second matter, the information at the disposal of this Department seems to vary from that furnished by you in that it is informed that the proposition actually made for the loan contemplated simply the furnishing of a gold reserve for the currency, for which purpose it was estimated that not more than one million dollars would be necessary. This statement comes from reliable sources and is forwarded to you for your information.

I am [etc.]

For the Acting Secretary of State:
ALVEY A. ADEE

834.156/55

Mr. Howard S. Le Roy, Office of the Solicitor, Department of State, to the Solicitor (Woolsey)[7]

[WASHINGTON,] *October 17, 1919.*

DEAR MR. WOOLSEY: The following is a summary of the recent developments in the Asuncion port concession granted to the Construction, Engineering and Finance Corporation (MacArthur Brothers of New York), submitted with a view to formulating the position of the Department in this case.

On June 7, 1919, at a conference between you and Minister Gondra of Paraguay, it appeared that the Government of Paraguay felt some disappointment over the progress made in the port improvement. This seemed to be due in part to a feeling that the concessionaire did not have the necessary financial backing to push the project to completion. This feeling seems to have been confirmed by the knowledge that the concessionaire had effected a contract with the Superveille and Company, bankers of Buenos Aires and Montevideo for the transfer of the concession, conditioned on its reinstatement by the Paraguayan Government.

On June 19 Mr. Janes of the Construction, Engineering and Finance Corporation, wrote a personal letter to you explaining in some detail the circumstances and reasons for entering into the contract with Superveille and Company, and enclosing a copy of the agreement. The agreement provided, among other things, that on the transfer of the concession the bankers would organize in such jurisdiction and with such capitalization as they should determine a corporation for the construction and operation of the port; and that the concessionaire (Construction, Engineering and Finance Cor-

[7] The correspondence referred to in this memorandum is not printed elsewhere.

poration) retain a sufficient amount of the securities to exercise a 25% control of the proposed corporation.

The above provisions at once involved a consideration of the propriety of extending the aid of this Department to an enterprise that might shortly lose its color as a purely American venture by transfer of control to a new corporation that might or might not be organized within the jurisdiction of the United States and with the stock control in the hands of American citizens.

Minister Mooney, under date of June 13, sent his confidential despatch No. 473 which reached this office on August 26, expressing the opinion that the circumstances had so changed since the death of President Franco, that there was a chance that the concession might be revived, with certain modifications, providing that the two American meat packing concerns already operating within the port zone should be immune from port charges.

A copy of an unnumbered despatch from Minister Mooney, under date of July 10, states that "President Franco having died in the meantime, his successor and other officials of the Paraguayan Government seem disposed to look at the matter in a more favorable light and, at the time of this report, there is some prospect of a reconsideration of the decree revoking the concession".

On July 17 Mr. Percival Farquhar, connected with the International Products Company, one of the meat packing concerns located within the port zone, telephoned to Mr. Lay [8] and copied to him a letter addressed to Mr. Stabler of this Department, incorporating a telegram received from the General Manager of the International Products Company at Asuncion, reading as follows:

"Dr. Eusebio Ayala informed me Port concession probably will be renewed. President Montero in favor of renewal. Congressional action not required. Unfortunately State Department passed those three notes to Paraguay Minister created impression here that failure recognize concession may have bad effect foreign investment."

Under date of July 24, Minister Mooney telegraphed the Department that—

"The President of Paraguay has expressed himself as personally favoring reconsideration of the decree of his predecessor declaring a forfeiture of the port concession in Asuncion but public opposition thereto is so general and so outspoken that he will not take affirmative action thereon at this time."

On July 28 the Department telegraphed the Legation at Asuncion as follows:

"Important. Referring to port concession, packing company is protesting against action in support of renewal of concession. Please

[8] Julius G. Lay, Acting Foreign Trade Adviser of the Department of State.

report action taken by you under Departmental instructions, result thereof, and present status."

On July 28 Consul Balch at Asuncion telegraphed the Department recommending that the Legation be instructed to withdraw its support for the reinstatement of the concession because of an alleged conflict with the packing house interests.

At a conference on August 5 between Mr. Janes and Mr. Carpenter, of this office, Mr. Janes was advised of the substance of the above cablegrams and was requested to supply, as soon as possible, information in satisfactory explanation of the Superveille Contract. Mr. Janes promised at an early date to secure a satisfactory modification of the Superveille agreement as to the incorporation and control of the new port corporation. He also suggested confidentially that his corporation would be willing to enter into a satisfactory arrangement with the packing houses operating within the port zone.

On August 14 Mr. Janes wrote Mr. Carpenter, requesting a slight extension of time in order to complete satisfactory arrangements for the organization of the port corporation. He suggested that there was no real conflict with the packing house interests and that on the reinstatement of the concession, an arrangement could be reached with the packing houses which would be satisfactory to all.

At this time the Trade Adviser's Office began to take an active interest in this case, urging that the standing instructions to the Legation at Asuncion for cooperation in securing the reinstatement of the concession should be cancelled on the theory that the reinstatement of the concession was bad, *per se*, for the packing interests and would, therefore, ultimately be detrimental to the best interests of Paraguay, and that such a result might be indirectly achieved by allowing the instructions to stand. The view of the Trade Adviser's office seemed to be based entirely on one side of the case. A conference was held in the latter part of August, attended by Mr. Manning and Mr. Gittings, of the Trade Adviser's office, Mr. Carpenter, representing this office, and Mr. Janes, representing the concessionaire. The conclusion reached, after discussion of the general situation, was that since the instructions to the Legation were merely "to cooperate", the contingency feared by the Trade Adviser's Office might be forestalled by instructing the representative of the Construction, Engineering and Finance Corporation at Asuncion to remain inactive for the time being.

It was further agreed that, in view of the alleged conflict with American interests and a request of the International Products Company that they might be heard, an invitation might be extended

to both interests to present their cases to the Department at a joint conference.

On August 28 Mr. Janes wrote saying that their Paraguayan representative had been instructed to ask for no further assistance from the Legation.

On September 10 a telegram was received from the American Minister, Mr. Mooney, reading as follows:

"The representative of the Port Company claims the Paraguayan Minister for Foreign Affairs is allied with adverse interests and is accordingly hostile to the renewal of the Port concession. He has therefore made an insistent request that I make an emphatic personal statement to the President of the Republic of the serious and earnest intention of the U.S. government to bring about a renewal of the concession. I do not understand that my previous instructions are sufficiently broad to warrant such action as it would savor of real discourtesy to the Paraguayan Minister for Foreign Affairs. Port representative also states that the Department will want to extend consideration to the fact that the delay in renewing and extending the port concession has caused the Superveille Bank to threaten to withdraw its offer to aid in financing the proposition unless extension is granted at an early date. Please instruct specifically."

On September 11 Mr. Gittings, of the Trade Adviser's Office, after again urging the cancellation, telegraphed to the Legation as follows:

"Department is studying question of the rights of the port company to its support and expects to reach a decision shortly. Until then you are instructed to remain quiescent."

On September 13 a letter was sent to Mr. Farquhar inviting him to participate in the joint conference.

On September 24 Mr. Janes telephoned from New York that he had been in conference with Mr. Farquhar and that an agreement had been practically reached and was about to be reduced to writing. (This seems to have been an overenthusiastic statement.)

On September 26 Mr. A. F. MacArthur wrote advising the Department that the new port corporation would be organized in some American jurisdiction and that the control of the stock would be in American hands. On October 1, 1919, Mr. Janes wrote the Department enclosing a memorandum on the port charges under the concession. This was in explanation of the contention made by the packing house interests that the port scheme would be monopolistic and detrimental to Paraguayan commercial interests, and that the charges were excessive.

On October 3 Mr. Janes wrote concerning an interview had with Mr. Farquhar in New York and enclosed a copy of a letter addressed to the packing people in which the port company made certain def-

inite statements of what it was willing to agree to. Up to this time the Department is not informed that the packing people have accepted the offer.

On October 10 Mr. A. F. MacArthur wrote the Department giving the terms of the additional clause agreed to in the Superveille contract giving assurances that the new port corporation would be organized in some one of the United States and that a majority of the stock would be issued to citizens of the United States.

On September 24 Mr. Carpenter wrote Mr. Farquhar acknowledging his letter of September 15 and promising him an opportunity of a hearing before the Department before further action should be taken in the case.

The questions presented in the present aspect of the case are:

1. Is the modification of the Superveille contract sufficient?

2. If so, is the Department prepared to support the port concession in spite of the protest of the packers, in view of the offer made to them by the port company?

[Howard S. Le Roy]

834.156/58

The Secretary of State to the Paraguayan Minister (Gondra)

Washington, *December 13, 1919.*

Sir: Referring to my notes to you of February 7, 26, April 19, and March 13, 1919, in regard to the Asunción Port Concession held by the Construction and Engineering Finance Company, I have the honor to inquire whether your Government is in a position to reply to the notes on this subject which have been addressed to you. In this connection I may state that since the notes mentioned were written and since your personal interview with this Department,[15] my Government has made a further examination of the Asunción Port Concession which has confirmed its earlier conclusion as to the innate justice of the request of this Government that the President's decree of February 21, 1918, be withdrawn or modified. In your interview with this Department you expressed an apprehension that the port enterprise would not be an enterprise backed by capital and management in the United States, but would be transferred to citizens of other countries. The Construction and Engineering Finance Company has now given my government satisfactory assurances on this point which is, as you must be aware, of interest to my Government as well as to your own. My Government also entertains the view that should the President of Para-

[15] June 7, 1919.

guay concur in the views of this Government and reinstate the concession without reservation, this act would not only redound to the prosperity of the Port of Asunción and the general economic well-being of Paraguay, but it will accord with the high principles of justice and fair dealing which Paraguay has always maintained in its relations with foreign countries.

I would be pleased if you could advise me promptly whether the President of Paraguay cannot possibly, upon further consideration, find some means of complying with the request contained in this Government's note of February 7, 1919, in view of the fact that the American interests concerned are seriously and adversely affected by the cloud which has been cast upon their concession by the decree of February 21, 1918.[17]

Accept [etc.]

For the Secretary of State:
ALVEY A. ADEE

834.156/58 : Telegram

The Secretary of State to the Minister in Paraguay (Mooney)

WASHINGTON, *December 13, 1919—6 p.m.*

Your despatches July 24, September 3 and September 15[18] regarding Asunción Port Concession. Department is informed that Packing Company has withdrawn objection to renewal of concession in view of adjustment with Port Company. Department understands Packing Company has notified its representative in Paraguay and possibly Paraguayan Government of this arrangement. With regard to suggestion that American character of enterprise may be lost by assignment of concession, Port Company now informs Department it has contract with banking interests requiring organization and control of Port Company to be American. You are instructed to call upon Minister of Foreign Affairs and state substance of above. Call attention to understanding of this Government that Port Company now has money available to proceed with construction of port and ask for reconsideration of this matter by the President with a view to extending the life of the Concession. Department is today requesting answer from Paraguayan Minister to notes of February 7, February 26, April 19 and March 13, copies of which you already have.

LANSING

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[17] No written replies to the Department's notes appear to have been received from the Paraguayan Legation.

[18] None printed.

834.156/61 : Telegram

The Minister in Paraguay (Mooney) to the Secretary of State

ASUNCION, *December 24, 1919—10 a.m.*
[Received December 26—4:15 p.m.]

Department's telegram December 13, 6 p.m. The Acting Paraguayan Minister for Foreign Affairs upon my presentation of the matter contained in that instruction and my request for a reconsideration of the declared forfeiture of the port concession with a view to extending its letter, said that he would submit it to the President of the Republic and request his action thereon. However it is my belief that on account of the pending presidential nomination and some feeling of unrest in Paraguayan politics at this time that the present administration will be disposed to temporize with this and all other important questions during the remainder of the current term. I will continue urging the matter and report developments.

MOONEY

834.156/66

The Minister in Paraguay (Mooney) to the Secretary of State

No. 561 ASUNCION, *December 27, 1919.*
[Received February 3, 1920.]

SIR: Referring to my despatch No. 556 of December 24th,[19] I have the honor to inform you that in my initial interview with Doctor Ramón Lara Castro, the new Paraguayan Minister for Foreign Affairs, I made mention of the pending port concession, whereupon he suggested that I write a formal note setting the matter forth succinctly in accordance with my understanding of it. In accordance with that suggestion I have prepared and transmitted a note on the subject, a copy of which I enclose for your information.

I have [etc.] DANIEL F. MOONEY

[Enclosure]

The American Minister (Mooney) to the Paraguayan Minister of Foreign Affairs (Lara Castro)

[No. 211] ASUNCION, *December 26, 1919.*

EXCELLENCY: By virtue of a specific instruction of my Government I have the honor to invite the attention of Your Excellency to the following:

The Paraguayan Congress by its act No. 159, duly passed, and promulgated on October 18, 1915, granted to the Construction and

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[19] Not printed; see telegram of the same date, *supra*.

Engineering Finance Company, of New York, a concession to construct and operate a port at the city of Asunción. The instrument of concession, framed in harmony with the law authorizing the same, stipulated the time at which the work on the port was to be commenced, the time at which stated progress was to be made thereon, and the time at which the same was to be fully completed, wherein, it is admitted, the concessionaire made ostensible default.

However, as an excuse for this apparent default and as a reason why its commission, involuntary on the part of the concessionaire, should not, until now, have the effect of vitiating the contract, the attention of Your Excellency is called to the fact that the seeming laches were concurrent with the World's war, in which America did not intervene until after the grant of the concession, when it was impossible, by reason of restrictions on the export of capital, to provide finances for the enterprise, and was alike impossible to secure the proper and necessary material for the work, or even to secure the transportation of such material if obtained. In view of these unfor[e]seen causes, which were wholly beyond the control of the concessionaire, and which could not be foreseen by the exercise of due care and diligence, it is suggested that the performance of the contract obligations was prevented by the act of God, (*force majeure*), and by no fault of the obligor.

I am also instructed to make known to Your Excellency that the concessionaire has now arranged for the capital adequate for this enterprise, and is otherwise prepared to make an early start on the construction of the port and carry the same to a prompt conclusion, if permitted by the Paraguayan Government so to do.

Because of all of the foregoing I am further instructed to bring this whole matter to the attention of His Excellency the President of Paraguay, through the intermediary of Your Excellency, with a view to securing an annullment of the forfeiture of this concession, if any such forfeiture has been decreed, that the franchise be revivified, and that the concessionaire be now allowed a reasonably sufficient length of time to build the port.

Accept [etc.] DANIEL F. MOONEY

834.156/71

The Minister in Paraguay (Mooney) to the Secretary of State

No. 568 ASUNCION, *January 8, 1920.*
[Received March 2.]

SIR: Referring to despatch No. 561 of this Legation, dated December 27, 1919, I have the honor to enclose herewith a copy of the

answer of [*to*] my note to the Paraguayan Minister for Foreign Affairs, with translation, the same bearing on the subject of the renewal of the concession granted to the Construction and Engineering Finance Company to construct and operate a port at Asuncion.

I have [etc.] DANIEL F. MOONEY

[Enclosure—Translation]

The Paraguayan Minister of Foreign Affairs (Lara Castro) to the American Minister (Mooney)

No. 2 ASUNCION, *January 6, 1920.*

MR. MINISTER: Relative to note No. 211, dated December 26th last in which Your Excellency, complying with instructions received from your Government calls the attention of my Government to the circumstances attending the failure of the concessionaire company to fulfill its obligations, maintaining the opinion that it was prevented from realizing its intentions by "force majeure" and adding also, according to instructions, that the company is now supplied with the capital and other necessary elements to enable it, in a very short time, to begin and complete the port works, if the Paraguayan Government will permit it, and consequently, by instructions of the Government of the Union, you desire that the matter be submitted for consideration to His Excellency the President of the Republic, I have the honor to inform Your Excellency that I have brought the aforementioned important communication to the attention of the Chief Magistrate and that I shall be pleased to transmit to you the action that may be taken in regard to the matter.

I wish to add [etc.] RAMÓN LARA CASTRO

834.156/77a

The Secretary of State to the Minister in Paraguay (Mooney)

No. 150 WASHINGTON, *April 2, 1920.*

SIR: During the conference of March 9, Mr. John MacArthur and Mr. Henry L. Janes, on behalf of the Construction and Engineering Finance Company, set forth their case to the Department with regard to the reinstatement of the concession of the port works at Asuncion. Mr. Gondra, the Paraguayan Minister, was present at the conference. At the conclusion of the conference it was understood that Messrs. Gondra, MacArthur and Janes were to confer and devise ways and means by which the terms of the concession might be changed so as to be acceptable, both to the Company and to the Paraguayan Government. Mr. Gondra stated that he did not believe that the Para-

guayan Government would consent to a direct reinstatement of the concession. It was the opinion of Messrs. MacArthur and Janes that these changes could be effected in such a way as to leave intact the original financial bases of the concession.

The representatives of the Company felt that by certain modifications of the original concession, some formula could be arrived at which would give the Paraguayan Government ground for reopening negotiations. In view of Mr. Gondra's statement that he felt absolutely certain that the Paraguayan Government would not grant a direct reinstatement of the concession, Messrs. MacArthur and Janes thought that mutual concessions on the part of the Company and of the Paraguayan Government would lead to a satisfactory solution. If no such solution could be found, the entire case should be submitted to arbitration under the arbitration clause of the concession. The Department believes that it has gone as far in the notes of February 14, and February 20, 1919,[19] as is advisable, pending further arrangements in the settlement of the port concession to be made directly by the Company and the Paraguayan Government. Under date of March 18, Mr. Janes states that he had been in conference with Mr. Gondra before he sailed for Asuncion and "that Mr. Gondra did not wish during his stay in New York to discuss the changes in the contract which he believed would furnish grounds upon which the Executive might act; but preferred, first, to put himself in contact with his Government on the basis of strong recommendation for an immediate settlement and then proceed to a consideration of ways and means with a clear knowledge of requirements."

I am [etc.]

For the Secretary of State:
BRECKINRIDGE LONG

834.156/91

The Secretary of State to the Chargé in Paraguay (Dickson)

No. 164 WASHINGTON, *August 25, 1920.*

SIR: Pursuant to a request contained in a letter dated August 12, 1920,[20] from the Asuncion Port Concession Corporation of 44 Cedar Street, New York City, there are transmitted herewith for your information and for such use as in your discretion you may see fit

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[19] The documents referred to are instructions of Feb. 14 and Feb. 20, 1919, to the Minister in Paraguay (neither printed), enclosing copies of the notes of Feb. 7 and Feb. 26, 1919, to the Paraguayan Minister, pp. 328 and 330, respectively. The instruction dated Feb. 20 appears to have been mailed Feb. 26.

[20] Not printed.

to make of them, copies of a letter dated August 11th [21] from that corporation announcing its creation, and copies of the enclosures thereto, which are a certificate of incorporation of the Asuncion Port Concession Corporation and certain authenticating documents.[21] Pursuant to the same request, there is also transmitted a copy of a letter dated August 11th [21] from the Construction and Engineering Finance Company, Equitable Building, New York City, announcing that that company and MacArthur Brothers have joined their interests with the Asuncion Port Concession Corporation.

The reason given by the new corporation for asking that these documents be transmitted to you is that you may be in a position intelligently to deal with any matter that may arise in connection therewith.

I am [etc.]

For the Secretary of State:
ALVEY A. ADEE

[21] Not printed.

PERSIA

FAILURE OF MEASURES TAKEN BY GREAT BRITAIN TO GIVE EFFECT TO THE ANGLO-PERSIAN AGREEMENT OF AUGUST 9, 1919 [1]

891.00/1144 : Telegram

The Minister in Persia (Caldwell) to the Acting Secretary of State

TEHERAN, *February 26, 1920—5 p.m.*
[Received March 4—3:16 a.m.]

7. A British military mission headed by Major General Dickson has been working in conjunction with the Persian Government in Teheran for more than a month. This commission expects to stay here for at least two or three years.

A British financial and customs revision commission headed by Sir Hubert Llewellyn Smith, is now working here in conjunction with the Persian Ministry of Finance and this commission expects to finish the preliminary work and depart in less than a month. The British Minister has requested me to make any suggestion that I wish in this connection but this was entirely a diplomatic move as the deliberations and decisions of the commission are not being made known to anyone. Has the Department any instructions.

CALDWELL

741.91/45

The Chargé in Great Britain (Wright) to the Secretary of State

No. 3113

LONDON, *July 2, 1920.*
[Received July 14.]

SIR: I have the honor to transmit herewith, for the information of the Department, the official report of Questions and Answers in the House of Commons on Tuesday, June 22, 1920, in regard to the Anglo-Persian Agreement.

I have [etc.]

J. BUTLER WRIGHT

[1] For previous correspondence concerning the Anglo-Persian Agreement, see *Foreign Relations*, 1919, vol. II, pp. 698 ff.

[Enclosure]

Questions and Answers in the House of Commons, June 22, 1920

ANGLO-PERSIAN AGREEMENT

Sir THOMAS BRAMSDON asked the Under-Secretary of State for Foreign Affairs whether, under the Persian Agreement, the joint commission of military experts has been set up; and whether any munitions and equipment have been supplied to Persia by Great Britain?

Mr. HARMSWORTH: The answer to the first part of the question is in the affirmative. The Report of the Commission has been drawn up and is now being considered. The question of supplying munitions and equipment for the uniform Persian Force, which it is proposed to organise, is also occupying the earnest attention of His Majesty's Government.

Mr. BRIANT asked the Under-Secretary of State for Foreign Affairs whether, under Article 5 of Part 1, of the Anglo-Persian Agreement, any schemes have been prepared for the encouragement of Anglo-Persian enterprise; and whether in such schemes preferential treatment is given to British subjects?

Mr. HARMSWORTH: Article 5 of the Anglo-Persian Agreement is being carried out, as far as circumstances permit, in close co-operation between the British and Persian Governments. A railway option has been given by the Persian Government to a British firm for a proposed continuation of the present Mesopotamian railhead on the Persian frontier to Tehran via Kermanshah and Hamadan. The Company's surveyors are at present at work in Persia. The answer to the last part of the question is in the negative.

Captain WEDGWOOD BENN: In view of that answer, can the hon. Gentleman say if the principle is not to give preference to British subjects?

Mr. HARMSWORTH: No. I understand it still remains with the Persian Government to decide whether or not they will accept or grant contracts.

Captain BENN: Do not the Persian Government act on the advice of their British adviser, if he suggests to them to accept British in preference to other people's offers?

Mr. HARMSWORTH: I do not think so.

Sir J. D. REES: Is there any harm in British subjects obtaining a preference?

Major ENTWISTLE asked whether any funds or any portion of the loan have been supplied under the Anglo-Persian Agreement; and has any interest been paid?

Mr. HARMSWORTH: I would point out to the hon. and gallant Member that according to the provisions of the Persian Loan Agreement of 9th August, 1919, the loan to Persia was to be paid as required after the British Financial Adviser had taken up his duties at Tehran. The British Financial Adviser has now reached his post and is examining the financial position. The greater bulk of the loan is still available, and no interest has accrued as yet.

Lieut.-Commander KENWORTHY: On what Vote is this money charged?

Mr. HARMSWORTH: On the Foreign Office Vote.

TARIFF

Captain BENN asked the Under-Secretary of State for Foreign Affairs what progress has been made with the work of revising the Persian tariff; and is it proposed under it to give a preference of any kind to British subjects?

Mr. HARMSWORTH: The Persian tariff of 1903 was revised by a Joint Commission appointed by the British and Persian Governments under the Anglo-Persian Agreement of 9th August, 1919, and the revised tariff has been in force since 2nd April, 1920. A complete English translation was published as a supplement to the Board of Trade Journal of 20th May last, a copy of which I am sending to my hon. and gallant Friend. The rates of the new tariff apply equally to imports from all countries enjoying most favoured nation treatment, and no preferential treatment is given to British subjects.

891.00/1158 : Telegram

The Minister in Persia (Caldwell) to the Secretary of State

TEHERAN, *August 19, 1920—9 p.m.*
[Received August 20—9:19 p.m.]

25. Persian situation is evidently much better and all excitement abated owing to the success of Government troops sent against the rebels and Bolsheviki.

Part of the British advisers who have been working for some time under the provisions of the recent treaty are departing from Persia apparently convinced that said treaty will never be accepted by the Persians.

There is nothing further to report.

CALDWELL

PETROLEUM CONCESSIONS

The D'Arcy and Khochtaria Concessions—Favorable Disposition of the Government of the United States Toward the Participation of American Companies in the Exploitation of Petroleum in Northern Persia

891.6363/16

The Minister in Persia (Caldwell) to the Secretary of State

No. 581 TEHERAN, *May 18, 1920.*
[Received July 31.]

SIR: Replying to the Department's instruction No. 140 of March 4, 1920 (File 891.6363/)[2] I have the honor to enclose herewith translations of the two oil concessions which have been granted by the Persian Government; one to Mr. William Knox D'Arcy, rentier, and now apparently held by the Anglo-Persian Oil Company, and the other to Mr. Khochtaria. So far as is known these are the only oil concessions at present in force in Persia, and it may be well to state that the latter has not yet been confirmed by the Persian Parliament.

It will be noticed that in Article I of the former exclusive rights are given "throughout the Persian Empire for sixty years", while in Article VI of the same the five northern provinces of Azerbaijan, Guilan, Mazanderan, Astrabad and Khorassan are withdrawn from that concession; while the Khochtaria concession includes the three provinces of Guilan, Mazanderan and Astrabad, apparently leaving the concessions for the large provinces of Azerbaijan and Khorassan as yet unassigned. However, it is the generally accepted theory that the Anglo-Persian Oil Company does have an absolutely exclusive concession covering petroleum production in all of Persia except the five northern provinces, and it is certainly believed that if any effort were made to enter the field of oil production in that part of Persia south of the meridional boundaries of the five northern provinces they would be most vigorously opposed by the Anglo-Persian Oil Company.

I have [etc.] JOHN L. CALDWELL

[Enclosure 1]

Petroleum Concession Granted by the Persian Government to William Knox D'Arcy, May 28, 1901

Between the Government of His Imperial Majesty, the Shah of Persia, party of the first part and William Knox D'Arcy, rentier, living at London No. 42 Grosvenor Square (hereafter designated as

[2] Not printed.

"the Concessionnaire"), party of the second part, it is agreed as follows:

ART. 1—The Government of His Imperial Majesty the Shah grants to the Concessionnaire by these presents the special and exclusive privilege to prospect, obtain, exploit, develop, prepare for Commerce and to export and sell natural gas, petroleum, asphalt and mineral wax throughout the Persian Empire for sixty years, to be effective from the date of this instrument.

ART. 2—This privilege will include the exclusive right to install necessary pipe lines from the places where there shall be found one or more of the said products to the Persian Gulf, as well as necessary branch lines for delivery.

It will include also the right to construct and keep up all wells, reservoirs, stations and pumps for accumulation and distribution, work-shops and other works and agencies that may be considered necessary.

ART. 3—The Imperial Persian Government grants gratuitously to the Concessionnaire all the uncultivated land belonging to the state that the engineers of the said Concessionnaire may judge necessary for the construction of all or a part of the above-mentioned works, as to the cultivated land belonging to the state, the Concessionnaire shall buy the same at the price current in the province.

The Government grants likewise to the Concessionnaire the right to acquire all other land and buildings that may be necessary for the same object with the consent of the owners, upon conditions that shall be agreed upon between him and them without their being permitted to raise the price ordinarily asked for land situated in their respective localities.

Holy places and all out-houses within a radius of 200 Persian archines of the same are excluded.

ART. 4—The three petroleum wells situated at Shuster, Kasrechirine province of Kermanshah and Talki, near Bushire, are now let to individuals and produce annually a revenue of two thousand tomans to the Government, it has been agreed that these three wells are included in this concession, according to Article 1, on condition that aside from the sixteen per cent mentioned in Article 10, the Concessionnaire shall pay each year the fixed sum of 2000 (two thousand tomans) to the Imperial Government.

ARTICLE 5—The location of the pipe lines shall be fixed by the concessionnaire and his engineers.

ART. 6—Notwithstanding the foregoing, the privileges granted by these presents shall not extend to the Provinces of Azerbaijan, Gilan, Mazanderan, Astrabad and Khorassan, but on the condition that the Imperial Persian Government shall not grant to any person

the right to construct the pipe lines to the rivers of the South or the meridional Coast of Persia.

Art. 7—All land granted by these presents to the Concessionnaire or which shall be acquired by him in the manner provided for in Articles 3 and 4 of this instrument, as well as all products exported, shall be free of all taxes and duties through the duration of the present concession. All material and machinery necessary for the exploitation and development of deposits and for the construction and development of pipe lines shall enter into Persia free of all taxes and Customs duties.

Art. 8—The Concessionnaire shall send immediately to Persia at his expense one or more experts with the object of exploring the regions where there exists, as he believes, the products mentioned, and in case the report of the expert shall be, according to the opinion of the Concessionnaire, of a satisfactory nature, he shall send immediately to Persia at his expense, necessary technical personnel with material for exploitation and necessary machines to bore and sink wells and prove the value of the property.

Art. 9—The Imperial Persian Government authorizes the Concessionnaire to form one or more companies for the exploitation of this concession.

The names, the by-laws and the capital of these companies shall be fixed by the Concessionnaire and the managers shall be chosen by him, on the condition that the constitution of each company shall be presented by the Concessionnaire to the Imperial Government through the Imperial Commissioner and that he should indicate the places where the company should operate. This company or these companies shall enjoy all rights and privileges granted to the Concessionnaire, but they shall assume all the engagements and responsibilities.

Art. 10—It shall be stipulated in the contract between the Concessionnaire, on the first part, and the company on the second part, that the last named shall pay to the Persian Government within one month after the organization of the first company a sum of twenty thousand pounds sterling in cash and an additional sum of twenty thousand sterling in stock entirely exempt from the first company founded by virtue of the preceding Article; it shall pay likewise to the said Government annually a sum equal to sixteen per cent of the annual net profit, of each company or of all companies that shall be formed in accordance with the said article.

Art. 11—The said Government shall be free to appoint an Imperial Commissioner who shall be consulted by the Concessionnaire and the managers of the companies formed, he shall furnish all useful information within his power and he shall indicate to them the best line of conduct to serve in the interest of the enterprise.

He shall establish with the Concessionnaire the control that he considers useful to safeguard the interests of the Imperial Government.

The above mentioned attributions of the Imperial Commissioner shall be indicated in the by-laws of the companies created.

The Concessionnaire shall pay to the commissioner thus named an annual sum of one thousand sterling for his services to begin from the date of the organization of the first company.

ART. 12—The laborers employed by the company shall be subjects of His Imperial Majesty, the Shah, with the exception of the technical personnel, such as directors, engineers, borers and foremen.

ART. 13—In any place where it can be established that the inhabitants of the country now obtain petroleum for their own use, the company shall furnish them the quantity of petroleum which they have procured themselves heretofore; this quantity shall be ascertained from their own declarations, subject to the control of the local authorities.

ART. 14—The Imperial Government obligates itself to take all necessary measures to insure the safety and the execution of the object of this concession, of the material and the machinery which have been mentioned for the objects of the enterprise and to protect its representatives, agents and employees. The Imperial Government having thus executed its engagements, the concessionnaire and the companies formed by him cannot, under any pretext, claim damages to their interests from the Persian Government.

ART. 15—Upon the expiration of the life of this concession, all materials, buildings and machinery which shall then be in use by the company for the exploitation of its industry, shall become the property of the Government and the company shall have no right to indemnity.

ART. 16—If within two years from the date of this instrument, the Concessionnaire has not formed the first of the companies authorized by article 9 of the present convention, the concession shall be null and void.

ART. 17—In case there shall arise between the parties to the present concession any question or difference on the subject of its interpretation or the rights or responsibilities of the one or the other of the parties, the question or the difference shall be submitted to two arbitrators in Teheran, one of whom shall be named by each of the parties and a third arbitrator who shall be elected by the arbitrators before proceeding with the work of arbitration. The decision of these arbitrators and in case they can [not] agree, of the third arbitrator, shall be binding.

ART. 18—This deed of the concession, in duplicate, is written in the French language and translated into Persian with the same meaning.

However, in case there should be any dispute as to the meaning, the French text shall prevail.

TEHERAN, *Sefer 1319 of the Hegiree, or May 28, 1901.*

[Enclosure 2]

Petroleum Concession Granted by the Persian Government to A. M. Khochtaria, March 9, 1916

The Minister of Foreign Affairs acting under orders of the Persian Government on the one side and Mr. Khochtaria, a Russian subject, on the other side have agreed as follows:

ART. 1—The Imperial Government by this concession grants to Mr. Khochtaria for a period of seventy years the exclusive right of exploitation of petroleum and natural gas found in the districts of Gilan, Mazanderan and Astrabad. The districts which, by the order of His Majesty, on Shaban 1313, were given to Mohammed Vali Khan Sepahsalar are not included in this concession.

For a period of seventy years from the signing of this concession, the right of boring and exploitation of mines in the above mentioned districts is given to the grantee.

ART. 2—The Imperial Government authorizes the owner of this concession to form any company desired, but with the condition that he should fully inform the Ministry of Public Works as regards regulations, location of offices and the amount of capital. Besides, he is required to present the name of the manager of the company to that same Ministry. In that case, the company formed has the same rights as the owner of the concession and has to fulfill the same conditions.

ART. 3—The owner of the concession is also authorized to build all necessary roads, tanks, stores and any other building needed for boring and transporting the petroleum.

ART. 4—The Imperial Government will give all the arid land which the engineers of the owner of the concession think necessary for the investigation of boring the wells, without charge. In case the land is not arid or belongs to somebody else, the owner of the concession has either to buy or to rent the land at a normal price. Land[s] belonging to shrines are an exception to this article.

ART. 5—The owner of the concession is obliged to inform the Ministry of Public Works of any new discoveries by a special report with a map, on the scale of one ten thousandth. If the owner of the concession finds the mines beneficial to himself, he shall pay one hundred thousand roubles in cash and present one hundred thousand thousand [*sic*] roubles in capital stock to the Ministry of Public

Works. This payment is to be made but once and at the time of discovery.

ART. 6—The owner of the concession shall make an annual payment of 16% of his net income to the Imperial Government and present his balance sheet in duplicate.

ART. 7—The Imperial Government has the right at any time to inspect the books of the owner of the concession. A representative will be appointed by the Government to assist the owner of the concession and to give him all informations required. The owner of the concession shall give an annual salary of six thousand roubles to the said representative.

ART. 8—With the exception of the engineers, all employees engaged by the owner of the concession shall be Persians.

ART. 9—The importation of all machines and utensils needed by the owner of the concession shall be exempt from Customs duties.

ART. 10—After the expiration of the period of the concession, all the machines, utensils, wells, buildings, other real or personal property shall be turned over to the Imperial Government. The owner of the concession or his partners shall raise no objections to this.

ART. 11—In case the owner of the concession does not begin work within five years from the date of this concession, the concession becomes null and void.

ART. 12—Differences between the two parties shall be settled by a joint committee of two persons one of whom is to be appointed by the Ministry of Public Works and the other by the owner of the concession. In case the joint committee cannot settle the matter in dispute, a third person shall be appointed by the joint committee for the purpose of deciding the matter.

Signed, sealed and delivered at Teheran this 4th day of Jamadi-ol-Aval, 1334 (March 9, 1916).

MOHAMMED VALI

ALA-EL-MOLK	*Minister of*	*Justice.*
YAMIN-OL-MOLK	"	" *Finance.*
MOMTAZ-OL-MOLK	"	" *Public Instructions.*
JAMSHID	"	" *War.*
SARDAR MANSOUR	"	" *Post & Telegraph.*
AHMAD	"	" *Public Works and Commerce.*

891.6363 Standard Oil/1

The Third Assistant Secretary of State (Merle-Smith) to the Persian Minister (Abdul Ali Khan)

WASHINGTON, *August 12, 1920.*

MY DEAR MR. MINISTER: I beg to refer to a recent conversation at the Department in which you explained the situation in the north-

ern provinces of Persia with reference to petroleum concessions and in which you stated that your Government desires to have American companies seek petroleum concessions in these provinces.

In accordance with your request expressed in this conversation, I have taken pleasure in telegraphing the American Legation at Teheran to the effect that the Department believes that American companies will seek concessions in the northern provinces and that the Department hopes that American companies may obtain such concessions. I take pleasure also in informing you that an authorized representative of the Standard Oil Company of New Jersey states in a letter to the Department that in principle his company would consider favorably a proposal to operate in northern Persia, if a satisfactory agreement could be reached with the Persian Government, and if investigation of the areas, from a geological standpoint, would lead his company to believe that there is a reasonable possibility of producing oil in commercial quantities.

I am [etc.] VAN S. MERLE-SMITH

891.6363/16

The Secretary of State to the Minister in Persia (Caldwell)

No. 151 WASHINGTON, *August 16, 1920.*

SIR: Reference is made to the Department's mail instruction No. 140 of March 4, 1920,[3] your mail despatch No. 581 of May 18, 1920, and the Department's telegram No. 17 of August 6, 1920,[3] relative to the oil situation in Persia and especially in the northern provinces.

The American Consul General at London in a despatch No. 9382 [*9582*], dated May 14, 1920,[3] reports the organization of a new British company, the North Persian Oils, Limited, formed, it is announced, "to work in conjunction with the Anglo-Persian Oil Company" and to develop further concessions obtained from the Persian Government. In an instruction dated July 8, 1920,[3] the Department called the attention of the American Ambassador at London to this report and requested him to make oral inquiries of the British Foreign Office regarding the activities of the North Persian Oils, Limited.

The Persian Minister at Washington has stated orally that British companies are working to acquire oil concessions in the northern provinces, but that his Government would prefer to grant these concessions to American rather than to other foreign interests.

The Department has received a despatch from the American Legation at Berne, Switzerland, dated January 23, 1920,[3] transmit-

[3] Not printed.

ting copies of a memorandum [3] embodying a conversation between Mr. Habibollah Khan Chahab, First Secretary of the Persian Legation at Berne, and Mr. Louis Sussdorff, Jr., Secretary of the American Legation at Berne. In this conversation Mr. Habibollah stated that he is an intimate personal friend of Prince Feirouz, Persian Minister for Foreign Affairs, and that the latter is very friendly to the United States and would be glad to see American business men come to Persia with a view to developing its great natural resources.

It is assumed that, in accordance with the Department's telegram of August 6, you have discreetly and orally conveyed to the Persian Foreign Office information to the effect that the Department believes that American companies will seek concessions in the northern provinces and that the Department hopes that American companies may obtain such concessions. The Persian Government appears to appreciate the undesirability of having an important economic resource monopolized by a single foreign company. The Department has taken the position that the monopolization of the production of an essential raw material, such as petroleum, by means of exclusive concessions or other arrangements, is in effect contrary to the principle of equal treatment of the nationals of all foreign countries. It would seem, accordingly, to be conducive to the best interests of Persia and desirable from the standpoint of international economic relations for the Persian Government to postpone any further grants of its oil resources until opportunity can be given to American companies to enter into negotiations regarding such grants. You may on suitable occasions call the attention of the Persian Foreign Office to these considerations and you may state that the Department has received information that an important American oil company would consider favorably a proposal to operate in northern Persia, if a satisfactory agreement could be reached with the Persian Government, and if investigation of the areas, from a geological standpoint, would lead the company to believe that there was a reasonable possibility of producing oil in commercial quantities. The substance of the information received from the oil company referred to has been communicated to the Persian Minister at Washington.

You are instructed to report fully on the general oil situation in Persia, especially in the northern provinces, on any attitude assumed or action taken by the Persian Government in relation thereto, and on the possibility of American interests obtaining oil concessions.

I am [etc.]

For the Secretary of State:
VAN S. MERLE-SMITH

[3] Not printed.

891.6363 Standard Oil/3 : Telegram

The Minister in Persia (Caldwell) to the Secretary of State

TEHERAN, *September 11, 1920—2 p.m.*
[Received September 12—11:41 a.m.]

28. Department's 17, August 6, 9 a.m., and 20, August 28, 2 p.m., and Legation's 26, September 2, 4 p.m.[4] Persian Minister for Foreign Affairs states that no proposals relative to the oil concessions for North Persia have been made recently. Present Persian Government considers Khochtaria concession invalid but its confirmation or rejection cannot be definitely determined until the Persian Medjlis has our [*has set?*] approval upon it. The Foreign Minister believes that Medjlis will be in session within two months. He is unwilling to make any definite statement whatever regarding oil concession and states that matter can only be taken up officially and lawfully after the Medjlis convenes.

Persian Cabinet is still considering the proposed explorations and surveys in North Persia by oil geologists of an American company and definite answer or permission has not yet been given. The Department will be kept informed.

CALDWELL

891.6363 Standard Oil/8 : Telegram

The Secretary of State to the Minister in Persia (Caldwell)

WASHINGTON, *November 17, 1920—7 p.m.*

27. Your telegram No. 29 of September 11, 1 P.M.[5]

Department is concerned by the possibility that confirmation Anglo-Persian agreement by Medjlis may make more difficult the obtaining of petroleum concessions by American companies. However, Anglo-Persian agreement would not on its face require preferential treatment to British in granting of concessions; such a meaning has been officially disclaimed in Parliament. There is no reason, therefore, why Persian Foreign Office should not give prior consideration in northern provinces to American interests, in case Russian concessions should be legally and definitely abrogated. It is hoped that an American Company will soon make application. At the proper time and in particular if the British claim prior rights discreet but strong representations should be made to Foreign Office along lines above indicated. Keep Department promptly informed.

COLBY

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[4] None printed.
[5] Not printed.

891.6363 Standard Oil/11 : Telegram

The Acting Secretary of State to the Minister in Persia (Caldwell)

WASHINGTON, *November 29, 1920—6 p.m.*

30. Department's No. 27 November 17, 7 p.m. Your No. 44, November 26, 11 a.m.[6]

The Persian Minister at Washington states that Nicholson of Anglo Persian Company is proceeding to Persia to conclude negotiations for Russian concessions in Northern Persia. Make sure that the new Foreign Minister clearly understands the position of this Government and of American companies as outlined in previous instructions. Report to the Department regarding British influence in Cabinet.

DAVIS

891.6363 Standard Oil/16

Memorandum by Mr. A. C. Millspaugh, Office of the Foreign Trade Adviser, Department of State

[WASHINGTON,] *December 17, 1920.*

Memorandum of Conversation with the Persian Minister and the Counselor of the Persian Legation, December 16

The Persian Minister made it clear that he was speaking personally and not for his Government. He stated that he wished to return to Persia soon and that when in Persia he would work for the granting of an oil concession in the Northern Provinces to American interests. He stated, however, that the financial dependence of Persia upon Great Britain gave the British a whip-hand over the Persian Government. He said that if he could tell the Persian Government that they could obtain a loan from the United States he thought that there would be no doubt of the oil concession being granted as well as other valuable concessions. He said that he had already been approached by American bankers with reference to a loan. He now wished some information regarding the probable attitude of the Department if American bankers should come to the Department asking for the Department's approval. He said that he had in mind purely a private loan and that he did not expect the Department or officials of the Government to initiate or participate in negotiations with private interests.

In reply I said that I was speaking personally and not at all for the Department, that in any event the Department would probably not wish to define its attitude before knowing all of the details,

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[6] Not printed.

that opinions might differ with reference to what would constitute a favorable answer, that when the question came up for decision something might be asked for with reference to details that the Department could not approve, but that in my opinion if American bankers came to the Department with respect to a private loan to Persia the Department would be pleased and that generally speaking its attitude would be what the Department would consider a favorable one.

The Minister referred to his previous statement that Nicholson, a director of the Anglo-Persian, was going to Persia and asked me if we had informed Caldwell. I stated that we had. He asked if Caldwell had seen the new Prime Minister. I told him that I thought Caldwell had and had made clear the attitude of this Government to the Persian Foreign Office. I asked when the Medjlis would meet and he said very soon.

The Minister stated that British interests had bought the old Russian concessions, something that I did not know before. The Minister said that he had proof of this. I said that I hoped that an American oil representative would be in Teheran soon.

The Minister did not say that he would proceed with the financial negotiations and did not outline any of the steps that he proposed to take. I told him that I would prepare this memorandum, but I did not tell him that I would communicate further with him and I did not inform him that we had already given consideration to the subject of a loan.

The matter of a loan to Persia in connection with concessions was suggested some time ago to this Department in a letter from the Department of Commerce. Mr. Herring of the Bureau of Foreign and Domestic Commerce took up the matter with Mr. Warfield of the Standard Oil Company of New Jersey, but, as I understand it, nothing definite was decided.

I shall not take up the matter further with the Persian Minister, with the Department of Commerce, or with the Standard Oil Company of New Jersey, until I receive further suggestions or instructions.

It seems to me that the question is one of great importance and that it involves the formulation of a comprehensive policy toward Persia. Of course, the Minister may have been speaking indiscreetly and no doubt the matter would have to be handled with great care in view of British policy toward Persia.

A. C. M[illspaugh]

PERU

RECOGNITION OF THE LEGUIA GOVERNMENT BY THE UNITED STATES[1]

701.2311/137

The Peruvian Chargé (Gibson) to the Secretary of State

[Translation]

WASHINGTON, *December 16, 1919.*

MR. SECRETARY: I have the honor to inform Your Excellency that Señor Don Federico Alfonso Pezet, who was appointed Ambassador Extraordinary and Plenipotentiary of Peru to the United States by my Government, has arrived in Washington.

Inasmuch as the illness of His Excellency the President will prevent, for the time being, the presentation of Señor Pezet's credentials, I beg Your Excellency kindly to extend to him provisional recognition in his high office, thereby enabling him to enter upon the duties of that office pending his official reception.

I avail myself [etc.] C. D. GIBSON

701.2311/145

The Peruvian Appointed Ambassador (Pezet) to the Secretary of State

[Translation[2]]

WASHINGTON, *December 17, 1919.*

SIR: I have the honor to place in Your Excellency's hands copies of the autograph letters[3] of His Excellency the President of Peru which accredit me Ambassador Extraordinary and Plenipotentiary of Peru to the United States of America, as well as those of recall of my distinguished predecessor, Doctor Francisco Tudela.

I am retaining the original of the said letters of credence and of recall in order to deliver them to His Excellency the President of the

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[1] For previous correspondence concerning the political affairs of Peru, see *Foreign Relations*, 1919, vol. II, pp. 720 ff.

[2] File translation revised.

[3] Not printed.

United States of America in the formal audience which, when his shattered health shall permit, and for whose rapid restoration I offer my sincere prayers, Your Excellency will arrange for me.

Accept [etc.] F. A. PEZET

701.2311/145

The Peruvian Appointed Ambassador (Pezet) to the Secretary of State

[Translation [4]]

WASHINGTON, *December 17, 1919.*

MR. SECRETARY: By direction of my Government I have the honor to place in Your Excellency's hands, the autograph letter [5] of His Excellency the President of the Republic of Peru, Señor Don Augusto B. Leguia, to His Excellency the President of the United States of America informing him that he assumed the Executive Power October 12, 1919, on the strength of the election made by the people and upon taking the oath required by law before the Legislative Chambers convened in National Assembly.

In delivering the said autograph letter to the august addressee, I beg you to add my very sincere wishes to those formulated by His Excellency the President of Peru that the relations between our countries be drawn as close as possible and that the Government of this great Nation may extend its powerful aid to that which has just been inaugurated in my country.

I avail myself [etc.] F. A. PEZET

823.011/5 : Telegram

The Chargé in Peru (Smith) to the Secretary of State

LIMA, *January 18, 1920—7 p.m.*

[Received January 19—8:55 p.m.]

18. New Constitution proclaimed this afternoon with elaborate ceremonies and military display. Perfect order prevailed. To-morrow declared national holiday.

In view of good feeling between Peru and United States at this time I respectfully suggest that recognition as *de jure* Government be extended as soon as deemed expedient.

SMITH

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[4] File translation revised.

[5] Not printed.

823.001L52/–

The Secretary of State to the Peruvian Appointed Ambassador (Pezet)

WASHINGTON, *April 13, 1920.*

EXCELLENCY: I have the honor to acknowledge receipt of your note of December 17th last enclosing with office copy the autographed letter addressed to the President of the United States by which His Excellency Señor Don Augusto B. Leguia announced his assumption of the presidency of Peru, and to inform you that President Wilson's reply dated April 5, 1920,[5] will be delivered by the Honorable William E. Gonzales, American Ambassador to Peru, who embarked for his post at Lima on the seventh instant.

Accept [etc.] BAINBRIDGE COLBY

123.G58/111 : Telegram

The Ambassador in Peru (Gonzales) to the Secretary of State

LIMA, *April 27, 1920—3 p.m.*

[Received 8:40 p.m.]

72. Presented my credentials Saturday; took charge today.

GONZALES

PERUVIAN CONFISCATION ACT OF DECEMBER 26, 1919, AGAINST PARTICIPANTS IN REBELLION; ITS ANNULMENT AT THE SUGGESTION OF THE UNITED STATES

823.032/39

The Chargé in Peru (Smith) to the Secretary of State

No. 440 LIMA, *January 3, 1920.*

[Received January 19.]

SIR: Referring to the Legation's telegrams of December 28, 3 p.m., December 30, 3 p.m., No. 1 January 1, 6 p.m., and No. 3, January 3, 10 a.m.,[6] concerning a bill which was passed by the National Assembly December 26 providing for the confiscation of property of conspirators against the Government, I have the honor to report as follows:

The more radical elements of the President's party and to some extent the President himself, deemed it necessary to provide themselves with some effective weapon against persons who, although not now residing in the country, might be plotting against the present Government. The preamble of the law as passed, reads:

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[5] Not printed.
[6] None printed.

"Whereas acts of rebellion committed to overthrow the present régime partake of the extraordinary seriousness of an attack against the new Constitution and the ignoring of the democratic reforms which the people have desired to sanction on their own account and through a plebiscite; and whereas the principal offenders who have taken refuge abroad must answer with their property for the public offenses [*expenses*] and damages which they have caused; etc."

I am enclosing a full and careful translation of the law [7] and it will be seen that its provisions are most drastic and far reaching. Article 3 was especially objectionable, as it provides that all sales, barters, partnerships, leases (whether long or short) and all covenants generally which the conspirators or rebels may have entered into since July 4, or may hereafter enter into either to evade this law or to escape the obligations therein provided, are null and void and invalid; the right to compensation of parties who have dealt with them in all good faith shall not, however, thereby lose force. Such private compensation shall be paid after those incurred in favor of the State by reason of conspiracy or rebellion have been preferentially covered.

A storm of protest arose in the opposition press and among the commercial houses, especially the banks. The Banco Italiano requested the Italian Minister to call upon the Minister for Foreign Affairs, as did the Banco Mercantil Americano request me to see him upon the same subject. As reported in my telegram of December 30, I called upon the Minister, and asked his opinion concerning the law in point. I found that he was bitterly opposed to it and was using his influence with the President to have the law changed so that it would not be retroactive in any respect.

The morning of December 30th the President called me to his office and asked me concerning the bill. I did not give an opinion, except to say that, as drawn, it might affect commercial interests, including those of American citizens. I explained to him that its features had been pointed out to me by the Acting Manager of the Banco Mercantil Americano, who was afraid that it would affect the bank's transactions. The President explained to me that he would call a Cabinet Meeting that afternoon to go over the matter carefully and see what could be done.

As shown by the enclosed clippings,[7] the bankers and commercial people made strong protests the same day and brought all possible pressure to bear upon the President to modify or change the law.

As reported in my telegram No. 1, January 1, 6 p.m. the President telephoned me on the morning of the 31st to come at once to the palace. He informed me that the meeting of the Cabinet had taken

[7] Not printed.

place and that it had been decided to eliminate the retroactive features of the bill and make it effective only from the date of promulgation instead of from the fourth of July last. While this was a concession on the part of the President and the radical members, it did not meet with the approval of the Minister for Foreign Affairs, Señor Porras, who handed the President his resignation. This resignation was not accepted. During the day of January 2nd the President was in constant consultation with the different members of his Cabinet and with heads of the largest commercial and banking institutions. I was informed late last night by the Minister for Foreign Affairs that he believed the matter would be adjusted, and while not absolutely satisfied, still he would continue in office for the present, as he believed the whole question would eventually be settled in such a manner as to protect the commercial interests. In other words, he felt that the matter might be sent to Congress with recommendations to pass the bill to confiscate property of conspirators that have been declared or arrested, thus eliminating all retroactive features. See Legation's telegram No. 3, January 3, 10 a.m.

I hope the Department approves my action in this matter. I desire especially to call attention to the fact that the President called me twice to his office, and I could not very well refuse to go. I have reported to the Department fully everything that occurred both by cable and in this despatch.

Wm Walker Smith

823.032/28 : Telegram

The Secretary of State to the Chargé in Peru (Smith)

Washington, *January 3, 1920—2 p.m.*

1. Your December 30, 3 p.m.[9]

Seek another opportunity to informally discuss with President the Confiscation Bill and intimate to him that in the opinion of this Government the passing of such a Bill would be a grave error of judgment.

Lansing

823.032/35 : Telegram

The Chargé in Peru (Smith) to the Secretary of State

Lima, *January 8, 1920—3 p.m.*
[Received January 9—9 : 15 a.m.]

9. Referring to previous telegrams concerning confiscation law [Leguia] called me to the Palace this morning and stated that he

[9] Not printed.

and his Cabinet have decided not to promulgate confiscation law but to send to Congress the following law with recommendations for its passage, translation of which is:

Whereas, it is necessary to define the scope of the recently declared civil responsibilities incurred by the disturbances of public peace, [Congress] has given the following law:

ARTICLE 1. The civil responsibilities referred to in the indemnification bill passed by the National Assembly in the session of December 26th last invalidate only the contracts entered into after the commitment of the offense of rebellion or conspiracy.

ARTICLE 2. The State shall nevertheless have the same rights which correspond to privileged creditors to ask for the annulment of contracts made without value received and for those in which there is excessive misrepresentation of value.

SMITH

823.032/43a : Telegram

The Secretary of State to the Chargé in Peru (Smith)

WASHINGTON, *February 11, 1920—2 p.m.*

22. Your 19, January 20.[10]

Please inform Department by telegraph as to following:

(1) Is it intended to promulgate Confiscation Act of December 26 and proposed law quoted in your No. 9, January 8, at the same time, the latter to be in effect a limitation upon the former?

(2) Explain Article 2 of proposed law and state particularly whether it refers to contracts made before as well as after commission of offense of rebellion or conspiracy.

(3) Is it proposed to seize property of rebels after rebellion has been quelled or only during course of rebellion?

(4) In what ways do American concerns apprehend they may be injured by enforcement of proposed law?

LANSING

823.032/42 : Telegram

The Chargé in Peru (Smith) to the Secretary of State

LIMA, *February 12, 1920—4 p.m.*

[Received February 13—9:35 a.m.]

33. Department's 22, February 11, 2 p.m. In conference this morning the President explained that:

(1) Modifications quoted in my number 9, January 8, would supersede and take the place of law as passed by National Assembly December 26;

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[10] Not printed.

(2) In order to prevent misunderstanding he was willing to eliminate article 2 altogether. He called my attention to the fact that the Peruvian law provided that where a contract was made for the purpose of defrauding, such contract might be declared null and void and this law would apply in cases where contract was made to avoid the consequences of acts of rebellion or conspiracy;

(3) If law is passed, it is proposed to seize property during rebellion, but if conspirators are discovered after the rebellion is quelled their property is still subject to seizure;

(4) Not only have American companies been alarmed at the prospect of this law being passed but all banks of Lima have sent a signed memorandum to the President pointing out the danger of any law that is of a retroactive nature. They claim that the banks cannot do business with any Peruvian as banks cannot know who has charge of [*is charged with?*]or who is not mixed up in political plots.

Legation's January 15, 3 p.m.[12] The President reiterated that if Mr. Lansing should find objection to such a law as affecting American capital coming to Peru he would see to it that no such law be passed.

SMITH

823.032/44 : Telegram

The Chargé in Peru (Smith) to the Secretary of State

LIMA, *March 23, 1920—11 a.m.*
[Received March 24—4:15 a.m.]

56. Department's March 16, 5 p.m.[12] In conference with President yesterday he explained status of the confiscation law as follows: The law passed on December 28 [*26*] has not been promulgated, but can be at any time unless annulled. He stated that he will not promulgate this law and reiterates his attitude as outlined in Legation's 16, January 15, 3 p.m.[12] He would be much pleased if Department would reply to his request for an opinion upon this law.

While the President feels the necessity of some control over conspirators against the Government, he desires to do nothing that would be contrary to the wishes or advice of the Democratic Party.

I recommend that the Department give its opinion upon the question as outlined in Legation's January 15, 3 p.m. and February 12, 4 p.m.

SMITH

[12] Not printed.

823.032/44 : Telegram

The Secretary of State to the Chargé in Peru (Smith)

WASHINGTON, *March 29, 1920—2 p.m.*

41. Your 56, March 23, 11 a.m.

What is present Peruvian law regarding those who have taken part in the rebellion? Do you consider law adequate?

COLBY

823.032/45 : Telegram

The Chargé in Peru (Smith) to the Secretary of State

LIMA, *April 2, 1920—1 a.m.*

[Received April 3—1:25 p.m.]

60. Your 41. Crimes against internal peace are provided against and punished in Peru by Penal Code which came into effect January 1863, section 3, book 2, Penal Code, comprising titles 1 to 7 which deal with offenses committed against the internal safety of State—125 to 129. Punishment under such articles is from four to six years exile. There is also punishment of the crimes of sedition and mutiny with punishment ranging from four months to one year covered by articles 138 to 140. It is important to note that in addition to these punishments under the law perpetrators are furthermore held civilly and criminally responsible when [*for?*] manslaughter or other private offenses they may have committed while perpetrating their political crimes.

In the opinion of Dr. Porras these laws are adequate. In the opinion of the President and Señor Carnejo,[13] as well as other members of the Cabinet, the present laws are not adequate as they do not reach the rich perpetrators of rebellion who invariably escape from the country after having protected their property by false transfer or otherwise.

While agreeing to a certain extent with the President, I am inclined to believe that all things considered there is a danger of a misuse of more stringent law; that the present Penal Code as it now exists is the best and more efficient. I am therefore inclined to agree with the Minister for Foreign Affairs.

A full report on the present laws being mailed next pouch.[14]

SMITH

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[13] Mariano H. Carnejo, President of the Senate.

[14] Not printed.

823.032/45 : Telegram

The Secretary of State to the Chargé in Peru (Smith)

WASHINGTON, *April 7, 1920—5 p.m.*

44. Your April 2, 1 a.m., and March 23, 11 a.m.

If the question is still a live one, and the Department's opinion desired, you may state that the Department believes the proposed law might have an unfortunate and disquieting effect, particularly upon foreign investors in Peru.

COLBY

823.032/51

The Secretary of State to the Ambassador in Peru (Gonzales)

No. 9 WASHINGTON, *July 7, 1920.*

SIR: The Department has received your despatch No. 502, of June 17, 1920, referring to the statement made by Mr. Smith in his despatch No. 485, of April 26, 1920,[15] that he felt confident that President Leguia, if he was once more approached by the Embassy, would recommend to Congress that the Confiscation measure be annulled, when Congress reconvenes July 28. You state that it appears to you to be good policy to refrain from bringing pressure to bear upon the President in this case, inasmuch as American interests are not involved and you request more definite instructions than those now contained in the Embassy's files as to the Department's views on this matter.

The Department has not been advised as to the length of the period during which the measure containing the Confiscation Act as passed by Congress will continue to be valid pending promulgation by the President. The Department therefore desires that you inform it as to whether the President is empowered in his discretion to postpone the promulgation of this enactment of Congress for an indefinite period.

It appears, from previous reports made by the Embassy that the President expressed to the Chargé d'Affaires his determination not to promulgate the measure embodying the Confiscation Act, and the matter therefore appears to be closed so far as any further representations at the present time by this Government are concerned.

From the information at its disposal, nevertheless, the Department believes that the existence of this measure has a disquieting effect upon foreign investors in Peru. If the opportunity is therefore presented to you to refer to this matter in reply to any request from

[15] Neither despatch printed.

the President or the Minister for Foreign Affairs for information as to the present views of the Department regarding the desirability of annulling the measure containing the proposed Confiscation enactment, you are authorized to state that the Department believes the continued existence of this measure may have a disquieting effect upon foreign investors because of the fact that so far as they are aware it may be promulgated at any time, and that the Department considers that a recommendation by the President to Congress to repeal this enactment would be viewed very favorably by any American interests desirous of investing capital in Peru.

I am [etc.]

For the Secretary of State:
VAN S. MERLE-SMITH

823.032/53

The Chargé in Peru (Southworth) to the Secretary of State

No. 531 LIMA, *September 9, 1920.*
[Received September 23.]

SIR: With reference to the Department's cable No. 44 of April 7, 5 p.m., and its instruction No. 9 of July 7, 1920, just arrived, I have the honor to report that early in August, at Ambassador Gonzales's suggestion, President Leguia requested the annulment of the Confiscation Bill. On August 16, favorable action having been taken by both houses of Congress, the annulment was sent to the President for his signature and was promulgated August 27. A copy of the annulment Act, with translation, is enclosed.[16]

The unusual and complete silence of the press as to this new Law is the explanation of the Embassy's delay in reporting it, word of its passage having just come to us in a round-about way.

I have [etc.] Wm B. SOUTHWORTH

APPOINTMENT OF A NAVAL MISSION FROM THE UNITED STATES TO PERU

823.30/1 : Telegram

The Chargé in Peru (Smith) to the Secretary of State

LIMA, *October 27, 1919—2 p.m.*
[Received October 28—4 a.m.]

Legation's October 22, 10 a. m.[16]

President today asked me to ascertain if my Government would permit naval commission come to Peru for the purpose of directing and reorganizing Peruvian Navy.

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[16] Not printed.

Also brought up the question of United States furnishing Marine police for Callao. He stated that Foreign Office would, within short time, make official request for above mentioned services.

SMITH

823.30/2 : Telegram

The Acting Secretary of State to the Chargé in Peru (Smith)

WASHINGTON, *November 10, 1919—6 p.m.*

Your October 27, 2 p.m.

You are instructed to inform the *de facto* Government that the question of permitting a naval commission to go to Peru, is receiving the Department's serious consideration.

PHILLIPS

823.30/5 : Telegram

The Chargé in Peru (Smith) to the Secretary of State

LIMA, *January 8, 1920—4 p.m.*

[Received January 9—12:35 a.m.]

10. Referring to the Legation's telegram of November 26, 3 p.m.,[19] President this morning expressed a desire that the naval affairs commission, which he has requested, be selected and sent to Peru as soon as possible.

SMITH

823.30/5 : Telegram

The Secretary of State to the Chargé in Peru (Smith)

WASHINGTON, *January 14, 1920—3 p.m.*

12. Your January 8, 4 p.m. You may say informally to Leguia that the Department is taking up his request with the Navy Department.

Your November 26, 3 p.m.,[19] stated that Leguia desired three naval commissioners though he would prefer one high naval officer. Cable Department exact number of mission now desired by Leguia.

LANSING

[19] Not printed.

823.30/6 : Telegram

The Chargé in Peru (Smith) to the Secretary of State

LIMA, *January 15, 1920—4 p.m.*
[Received January 16—6:52 a.m.]

17. Department's January 14, 3 p.m. President stated this morning that he desired about three naval officers as naval commission but reiterates hope that one high ranking naval officer be sent to reorganize Peruvian Navy with power to employ additional American officers. The President is anxious for speedy action.

SMITH

823.30/17 : Telegram

The Secretary of State to the Chargé in Peru (Smith)

WASHINGTON, *August 24, 1920—2 p.m.*

81. Navy Department has now designated a naval mission to proceed to Peru in conformity with request of Peruvian Government.[20] Head of Mission is Commander Frank B. Freyer. Other members of mission in the order of their rank are as follows: Commander Lewis D. Causey, former Commander Charles G. Davy and former Lieutenant Paul Fitzsimons, the two latter being from the resigned list. They are sailing by steamship *Santa Elisa* from New York August 25th. All except Causey are married and accompanied by their wives.

COLBY

THE TACNA-ARICA QUESTION

(See volume I, pages 324 ff.)

[20] In accordance with Act of Congress, June 5, 1920 (41 Stat. 1056).

POLAND

WAR WITH RUSSIA

Critical Situation of Poland after the Collapse of Denikin and Kolchak—Unwillingness of the United States to Take Any Responsibility in Advising Poland—Failure of the Other Friendly Powers to Agree upon a Common Policy—American Note to Poland Urging Moderation in Victory—Refusal by the United States to Cooperate in Forcing the Passage of War Material for Poland through Danzig—Statement of the Position of the United States Regarding Poland's Eastern Boundary

861.00/6242

The Ambassador in Great Britain (Davis) to the Secretary of State

No. 1933 LONDON, *January 8, 1920.*
[Received January 27.]

SIR: Adverting to my despatch No. 1282 of September 9, 1919,[1] I have the honor to transmit herewith, for the information of the Department, a further consignment of the compilations of wireless news from December 20, 1919, to January 3, 1920 inclusive, with which I have been furnished by the Foreign Office.

I have [etc.] JOHN W. DAVIS

[Enclosure]

Extract from the "Wireless News" of December 23, 1919

BOLSHEVIKS PROPOSE PEACE TO POLAND

A long message, dated Moscow, Dec. 22, has been addressed by Tchitcherin, People's Commissary for Foreign Affairs, to the Ministry for Foreign Affairs at Warsaw, making a formal proposal that negotiations shall be entered into between Poland and Soviet Russia, with a view to the conclusion of a permanent peace between the two countries. The Polish Government are asked to fix a place and a date for the negotiations.

[1] Not printed.

760c.61/–: Telegram

The Minister in Poland (Gibson) to the Secretary of State

WARSAW, *January 17, 1920—7 p.m.*
[Received January 22—1:10 p.m.]

27. I feel that I should submit for the Department's earnest consideration the following statement of the situation in Poland. It leads to the conclusion that unless effective action is taken without loss of time we must be prepared for either: (1) The conclusion of peace between Poland and the Bolsheviks with its inevitable consequences, or (2) the conquest of Poland as a result of a Bolshevik offensive which is expected in late winter or early spring.

The following points appear worthy of consideration:

(1) The Bolsheviks have eliminated one after the other Koltchak, Yudenitch and Denikin, and have concluded a verbal truce with Esthonia. Poland is the only remaining enemy who is formidable from a military point of view.

(2) The Bolsheviks have shown clearly by repeated overtures that they wish to eliminate this remaining front either by peace or by the conquest of Poland.

(3) The recent Bolshevik offer of peace has undoubtedly made an impression here [as is] shown by the open demand of the radical elements probably in understanding with Soviet Government that it be accepted. Bolsheviks who are well informed as to what is going on here can doubtless determine whether they can achieve [omission] by peaceable means or whether they must concentrate their forces on crushing the Poles.

The Chief of State, General Pilsudski, has told me on several occasions that while Poland is in desperate need of peace it would be folly for him to sign any treaty with the Bolshevist radical government as they have repeatedly shown not only their bad faith but the inability of the central authorities to [compel?] the observance of their agreements; that if a treaty were signed he would not be able to withdraw his Army for fear the country would be overrun at any time; that, on the other hand, he could not maintain an army on guard against a possible violation of the treaty as the morale of the troops would not stand up under such questionable policy and hardship without the belief that they were defending an endangered country. As reported in my number 62 [2] however, he seems to have come to the conclusion that he may have no choice in the matter and unless his Army can be strengthened with necessary material I am positive it would be the part of wisdom to negotiate a peaceful

[2] Document referred to cannot be identified.

agreement rather than be conquered and be obliged to surrender without conditions.

(4) Failing to conclude an early peace, the only alternative left to the Bolshevists and one that doubtless accords with their designs, is to attempt the military conquest of Poland. For the most part the Bolshevists authorities will depend upon [omission] their whole military forces against Poland. Aside from the clear motives for this fact individuals returning from Russia report that during the recent successes against Denikin, the official press spoke repeatedly of the fact that the next great objective was to be the conquest of Poland. Furthermore, there have been various reports of Bolshevik concentration and preparation on the Polish front.

It is too early for us to verify the alleged preparations of the Bolsheviks. It must be remembered that the collapse of Denikin was not definitely assured until the beginning of the year. At that time the forces mobilized against Poland were very small. The railway facilities available to the Bolshevists are so poor that if they began mobilizing on the Polish front at the beginning of today, six weeks would be a minimum for the conclusion of all mobilization equal to the task in view. Of course it is not possible to gauge this time accurately and it might be much longer. General Pilsudski told me this afternoon that he knew definitely that the Bolshevists were pushing their preparations for an attack on the Polish front.

[5] It seems clearly to the interest of the Bolshevists to embark upon this attack as soon as they can be assured of a substantial initial success. They know that discussions are under way in Paris with a view to some Allied support to the Poles. They know that a conference has been called in Helsingfors to agree on concerted action by the states bordering on Bolshevist Russia. They know that the Poland Army is now without adequate equipment, munitions, and support.

A decision to afford material support to Poland may result: (*a*) In detaining the Bolshevists from attacking [omission], if the decision is immediate and effective in putting in force, (*b*) in precipitating an attack with the hope of achieving a successful decision before Allied administrative measures could be made effective.

If on the other hand it is decided that no support would compel general acceptance, this would in itself constitute the best possible reason for attacking Poland. In any event we may safely assume that the Bolshevists will be accurately informed as to the measure of support Poland may expect and will govern themselves accordingly.

(6) While it is true that the Poles have been uniformly successful in their operations against the Bolsheviks, this must not be made

the basis for an unduly optimistic view of the situation. It must be remembered too:

(*a*) In the past the Poles have advanced while the Bolsheviks had serious adversaries elsewhere, are [*and were*] obliged to employ the bulk of their forces against Koltchak, Yudenitch and Denikin and other enemies.

(*b*) The Bolsheviks realized clearly that these forces aimed at nothing less than the complete conquest and annihilation of the Soviet Government by military action whereas Poland's advances would voluntarily be limited to the occupation of certain territories essential to security of Polish soil.

(*c*) The Bolshevists have heretofore contented themselves with waging a defensive war against Poles who were considered a minor and less dangerous enemy. Now, however, Poland has by elimination become the principal enemy upon whom attention must be concentrated.

(*d*) The Poles have hitherto fought almost entirely on the offensive and have not had to test their strength and morale in a defensive campaign which under the conditions obtaining here would be manifestly more difficult.

(7) The one hopeful element in the situation is the remarkably good spirit of Army. If this can be maintained by material support it may become the basis of a successful resistance to Bolshevist intention. If it is allowed to deteriorate through lack of equipment the consequences are clear. Its morale weathered the crisis of early November, see my 693 and 724 to American Mission,[3] only through an almost miraculous combination of circumstances. Among other things the Bolshevists were forced just at that time to remove practically all their troops from the Poland front to meet Denikin. This enabled the greater part of Polish troops to remain underground or in houses behind the front where they could build fires and keep warm, while the few men taking turn on duty wore outfits of warm clothing and shoes borrowed from the others. We might be fortunate enough to have another experience of this sort but we cannot depend upon it as a system that will be successful against the combination of suffering and discontent in Poland and the onslaught of the Bolshevists from without.

(8) The Polish Army requires at once: (*a*) clothing, shoes; (*b*) rolling stock; (*c*) munitions and (*d*) food.

(*a*) At present there is barely enough clothing, including that recently received, to last the men now in service two months. With the beginning of active military operations we may expect a crisis.

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[3] Neither printed.

There is little for the recruits who are to be called at the end of this month and who will be necessary as replacements if any serious fighting occurs.

(*b*) The rolling stock now in Poland is quite unequal to handle the country's minimum requirements even when there is no fighting and its inadequacy is bound to have a certain serious effect upon operation[s] which must extend over a 500 mile front.

(*c*) The equipment, armament and supply of ammunition will suffice only if no large operations occur.

(*d*) There is a serious food shortage in sight for the spring. A steady food supply is of course an important factor in maintaining the morale of the country against Bolshevik propaganda.

Complete data as to all the needs of the Polish Army are in the possession of Marshal Foch. A few could probably be furnished by our General Staff on the basis of reports made by the military attaché. It is hardly worth while to submit figures on this subject until the question of principle is settled, but it is safe to say that the total requirements of the Army if divided among other great powers would not constitute a serious burden.

(9) Success in a campaign against Poland would leave the Soviet Government triumphant in Eastern Europe and a large part of Asia and would give a fresh impetus to the Bolshevik movement throughout the world.

(*a*) Reports which I have received from various sources indicate that such a collapse here would be quickly followed by a similar collapse in Czechoslovakia. While the German Austrians appear too exhausted to initiate any movement of a Bolshevik character, it is probable that they would not summon much energy to defeat such a movement if it reached them by way of Bolshevism. That brings us to Italy. What the results would be there and in other above named western countries, the Department is in a position to know.

(*b*) The Department can also judge how Germany would act in the foregoing eventuality to recover some of her lost power.

(10) The question of an early and redoubtable Bolshevik offensive is one that causes grave apprehension to all who are familiar with the situation here. I have discussed it with our military and naval attachés, my Allied colleagues, with the British and French military missions and with well informed Polish officials. There appears to be no divergence of opinion among them as to essentials although some of them consider the situation as far more hopeless than I have painted it here.

(11) With no reserves of material, no trained replacements and the Polish psychology which goes to the extremes of hopefulness

and despair, was indeed what is meant by the fact that Poland is in danger of proud collapse. The Poles throughout have shown willingness to bear the entire burden of furnishing the man power for this struggle and have asked repeatedly nothing more than credit for their equipment. As the financial condition of the country has reached a very low ebb they may be obliged to ask not only credit but the provision of equipment without compensation. As a matter of [self-]interest it would seem much better forbearance [*sic*] to donate this material support now on our own terms rather than have to give it in larger measure later with the added possibility of being involved in military operations.

GIBSON

760c.61/1 : Telegram

The Minister in Poland (Gibson) to the Secretary of State

WARSAW, *January 18, 1920—4 p.m.*
[Received January 22—8:15 p.m.]

28. I had a long talk with the Chief of State this afternoon. For the first time since I have been here, he was pessimistic as to the ability of the Polish Army to continue the struggle against Bolsheviks. He stated that the shortage of clothing, munitions, rolling stock and supplies was so acute that operations on a large scale would entail collapse and conquest of the country by the Bolsheviks. Polish Government has a copy of the Bolshevik peace overture referred to in my number 27 to the Secretary of State with statement that it must consult its allies [*sic*]. Patek, Minister for Foreign Affairs, now in Paris, is expected to lay whole situation before Allied representatives and secure a definite statement as to Allied aims and intentions. Failing assurances of support to be made effective almost immediately, Polish Government is seriously considering concluding peace with Bolsheviks. I recalled to Chief of State his frequent statements to me in the past, that while he would like to have peace with the Bolsheviks he considered it folly to sign any agreement because of the repeated evidences of bad faith on [*of?*] the Bolsheviks. He knew in advance that even if the central authorities desired to observe their engagements they were unable to control the activities of propaganda agents and subordinates in the field. He said that while he still felt this was true there was a gambler's chance that Bolsheviks would welcome opportunity to turn their attention elsewhere and that Poland would be left alone long enough to get on her feet; that this chance was better than the certainty of being conquered and having conditions dictated to

her if she persisted in continuing the struggle without necessary material.

Yesterday afternoon I had a conversation with the Prime Minister who made statement very similar in character to this.

While the situation has been growing steadily worse since I came here last April the events of the past few days have made it clear to every one that Poland is in desperate situation, lacking every sort of essential material for the prosecution of the war and the needs of peace and that she is threatened with collapse. It must be admitted that a part of the blame must be placed on Polish officials who have deliberately played politics with vital questions but the result is so bad that they are undoubtedly frightened.

I am embodying a general statement of Polish-Bolshevik relations in a separate telegram.[4]

GIBSON

760c.61/5 : Telegram

The Ambassador in Great Britain (Davis) to the Secretary of State

LONDON, *January 28, 1920—10 p.m.*
[Received January 28—9:20 p.m.]

155. I learn today, from Polish Minister, that Patek and Lloyd George conferred at London on Monday the 26th. Lloyd George stated that question of war or peace was for Poland to decide, that League of Nations would, no doubt, come to assistance of Poland if she were attacked by the Bolsheviks within her truly Polish boundaries, but she could not expect assistance in holding beyond her ethnological limits. Of these limits he professed himself ignorant, he declined any specific promise of British assistance, and left the distinct impression that he was suggesting peace between Poland and the Bolsheviks. While the Poles believe that they can meet the threatened Bolshevik attack, they nevertheless feel that they should make peace on advantageous terms, if they have no promise from the Allies of [garbled group?] definite assistance. Two months ago, the Bolsheviks would have ceded the historic frontier of Poland, which is far beyond the territory their troops now occupy. They insist that the boundaries they now hold, including the city of Vilna, are truly Polish, and can not be surrendered. Italy is believed to be willing to deal on her own account with the Soviet Government. France, under Clemenceau, was bitterly opposed to any recognition of the Soviets, but her position, under

[4] Telegram no. 27, Jan. 17, *supra*.

existing conditions, cannot be counted on. The Poles desire to act in accordance with the views of the Allies and are particularly anxious to know whether American sentiment would be offended if they yielded to necessity and made the best terms possible. This question I declined to answer stating that I would submit it for consideration. I gather that negotiations between Poland and the Bolsheviks are by no means unlikely in the near future.

Warsaw informed.

DAVIS

760c.61/8 : Telegram

The Minister in Poland (Gibson) to the Secretary of State

WARSAW, *January 30, 1920—6 p.m.*
[Received January 31—8 p.m.]

51. For Polk: It would be of the greatest help in determining my course here if I could have some intimation as to the general policy of our Government toward Poland. Can you let me have answers to the following questions:

(1) Does our Government desire

(*a*) That Poland resist intention of Bolshevist invasion by force of arms or,

(*b*) That the Poles make peace with the Bolshevists?

(2) If the former, does our Government favor material and financial support to Poland and is there early prospect of some action being taken in this regard by us? What is our policy toward inducing the other great powers to assume some share of the burden?

(3) If we inform Poland that she can [expect?] no material support or if we encourage her to conclude peace she will undoubtedly do so on the best terms she can secure. In that event what measures does our Government consider desirable to prevent the spread of Bolshevist doctrines to more western countries?

(4) Will the Department give me some idea of the attitude of the other great powers on this question?

GIBSON

760c.61/6 : Telegram

The Minister in Poland (Gibson) to the Secretary of State

WARSAW, *January 30, 1920—11 p.m.*
[Received January 31—12 : 17 p.m.]

52. Polish Government has today received wireless from Moscow signed by Lenin, Tchicherin and Trotsky, proposing immediate

conclusion of armistice along lines which are not clear because of garbled condition message.

My British colleague who has been kept fully informed by telegraph of Lloyd George's conversations with Patek (reported to Department by Mr. Davis) this afternoon gave the Ministry of Foreign Affairs general impression of British attitude. Patek is expected to arrive from London and Paris February 1st and it appears probable that negotiations will then be opened with the Soviet Government.

GIBSON

760c.61/8 : Telegram

The Secretary of State to the Minister in Poland (Gibson)

WASHINGTON, *February 5, 1920—7 p.m.*

54. Your 51, January 30, 6 p.m. This Government is not in a position at the present moment to take any responsibility in advising Poland to adopt a specific policy toward Bolshevist Russia. For your own information, however, I feel that it would be most unfortunate if the Polish Government should conclude from the silence of this Government in the matter that there is implied such military and economic assistance as might determine the Polish Government in refusing to enter into armistice negotiations with Bolshevist Russia.

LANSING

760c.61/14 : Telegram

The Minister in Poland (Gibson) to the Secretary of State

WARSAW, *February 8, 1920—11 p.m.*
[Received February 12—7:43 a.m.]

68. Patek told me last night:

(1st) That he had nearly completed his preliminary work of ascertaining Poland's wishes as to peace with Bolsheviki.
(2d) That his next task is to prepare a reply to the Soviet Government agents.
(3d) That his draft reply will be submitted to the Powers for their advice and suggestions before being sent to Moscow.

I venture to elaborate the foregoing points as follows:

1. Mostly, Diet and press appear to consider peace question soberly. Thus far there has been a marked absence of violently expressed opinion in the papers and some radical elements even speak of the need for caution in dealing with the Soviet Government agents. The people generally realize the desperate position of Poland if she is

left without material support from the Allies against the threatened Bolshevik attack. They understand that even if Poland could hold her lines successfully there is, in the absence of Allied support, no prospect of an early solution; that the only prospect is one of years of warfare which is now rapidly exhausting the country. The feeling is rapidly growing among all classes that hardly anything could be worse than the outlook for the future under existing conditions and that if the Government agents decide for peace they will accept the decision.

2. Patek said that his reply will consist of a statement of the aims Poland seeks in any peace to be concluded. Poland will require guarantees for the Polish minorities in the territories left under Bolshevik rule. Further guarantees will be required for the safety of Roumania and the Baltic States. Patek feels that it is not only right but also farsighted for Poland to provide for the protection of her neighbors. Aside from this he does not seem to have clearly defined ideas as to the details his reply.

3. Patek said the Polish reply would not be sent until he had received the advice of the powers adding that the Polish Government agents desire to [omission] as far as has been humanly possible to adopt in strict accordance with their wishes. He said very definitely that he felt the powers could not evade their share of responsibility in the decision to be taken.

We would, I am sure, be justly indignant if Poland were to take a momentous step of this character without our knowledge or consent. Conversely it seems clear that we have some measure of responsibility on our side. We reestablished Poland on high moral grounds to repair a great wrong. The hopes thus created of continued support and friendship have served in some degree to bring about the present situation. So far as I can see the governing motive of the Polish Government agents at present is to do what the powers desire. Through the proper channels courses are now open. Our desires could, I believe, decide which is to be adopted:

(*a*) If the powers feel that it is better for the general interest that Poland should make peace with the Bolsheviki and are willing to say so frankly I believe that the Government agents will do so.

(*b*) If the powers wish Poland to continue the struggle and are prepared to furnish necessary material support I am convinced that could be easily arranged.

(*c*) If it is not possible to extend material support and it is nevertheless desired in the general interest that Poland continue the struggle unaided as long as possible I am inclined to believe, after my recent talks with Patek and others, that Poland would [omission] and responsibility and sacrifices involved.

Thus far the powers have shown a disposition to leave the entire responsibility to Poland. This is perhaps the wiser course to pursue until such time as Poland has formulated her own views. I venture respectfully but earnestly to express the opinion however, that when the time for a decision comes the powers cannot, in justice to themselves, cut Poland adrift without the benefit of their guidance which was never so necessary as now.

Copy sent to London, Paris.

GIBSON

760c.61/16 : Telegram

The Minister in Poland (Gibson) to the Secretary of State

WARSAW, *February 13, 1920—6 p.m.*
[Received February 16—3:29 p.m.]

73. Patek has to-day sent me copy of a note addressed to Millerand stating that Poland has no faith in the sincerity of the Bolsheviki peace offer and that from the concentration now in progress on the Polish front expects offensive on large scale. He says that the Polish Army is ready to fulfill all its obligations but that it cannot do so unless furnished with large amount of supplies, detailed list of which is submitted. He proposes that for the expense of warfare on Bolshevik front the powers adopt the principle that Poland pay actual expenses of maintenance such as feeding, transportation et cetera and that cost of all supplies imported be shared by the interested powers, that if Poland is expected to assume part of this burden a long term loan be granted her on account of the disadvantageous state of her exchange. Note states that unless considerable quantities of these supplies are actually in Poland before March 15th defensive measures will be seriously endangered.

I am inclined to believe that the Government has little hope of securing these supplies but is to exhaust every effort and to establish a clear record in case material support is refused and peace with the Bolsheviki is concluded.

GIBSON

760c.61/21 : Telegram

The Minister in Poland (Gibson) to the Acting Secretary of State

WARSAW, *February 19, 1920—9 p.m.*
[Received February 19—6:14 p.m.]

86. [My] February 9 [*8?*], 11 p.m. Patek has been hampered in his efforts to formulate a reply to the Soviet peace offer by his in-

ability to secure a coherent statement of the course that Allied and Associated Powers desire Poland to follow.

1st. At the present moment I am meeting appeals for guidance in conformity with the instructions given in the Department's 54 of February 7th [*5th*].

2d. The British Minister is giving the Polish Government to understand that Lloyd George desires Poland to make peace.

3d. The French while making no definite promises to help are apparently encouraging a decision to fight; have announced an early visit from Marshal Foch and are emphasizing the hope of internal Bolshevist collapse, generous material support from France or some originating [*sic*] movement that will save Poland.

4th. My Italian colleague is vigorously urging the Poles to refuse the peace offer and fight originators [*sic*]. It is perhaps not surprising that the Government is bewildered and Patek feels the need of going to Paris and London to try to find out what is really wanted.

I venture to recommend very earnestly that the Department endeavor to reach some understanding with the Allied Powers as to what course it is desired that Poland pursue. Until some such decision is reached the whole situation in our part of Europe is out of hand.

GIBSON

760c.61/36 : Telegram

The Minister in Poland (Gibson) to the Acting Secretary of State

WARSAW, *March 22, 1920—midnight.*
[Received March 24—10:55 p.m.]

162. My 143, March 14, 6 p.m.[6] Substance of peace terms has been published here for several days and seem to have rather startled public opinion. The intentions of the Polish Government have manifestly undergone material change both as to substance and procedure since Patek first discussed his plans with me some time ago. (My telegram number 68, February 8, 11 p.m.) The Polish [conditions] are much more far-reaching than Patek had led the representatives of the powers to believe and leave him open to the charge of imperialism which his moderate language has hitherto belied. There is no doubt that Polish ambitions in the east have grown rapidly since the Bolshevik peace offering under the skillful fanning of various moderating influence [*sic*]. A new sense of independence and self importance is manifest. I cannot but feel that

[6] Not printed.

this growing impatience of restraint is in large measure due to the refusal of the great powers to guide and counsel Poland during the past two months. Until a short time ago the inclination of the Polish Government and people was partly guided by the expressed wishes of the great powers. The Polish Government has not been able to secure any expression of opinion since the peace offer and the feeling has grown among all classes that Poland has been cast adrift politically and must shift for herself. With this there has inevitably come an increasing conviction that Poland had best get all the advantages she can out of the present situation and that no matter how unreasonable her actions may be they no longer concern the powers who have refused to interest themselves in Polish-Bolshevik relations. These are the developments I have feared for some time, as will be seen by my telegram number 87 February 19th.[6] The present tendency is undoubtedly towards increasing independence of the Allied Powers and is but ill disguised satisfaction to pro-German and reactionary elements here.

GIBSON

760c.61/37 : Telegram

The Minister in Poland (Gibson) to the Secretary of State

WARSAW, *March 27, 1920—7 p.m.*
[Received March 29—3 : 18 a.m.]

173. My No. 170.[6] Polish Government has sent the representatives [*sent radio*] to Moscow declaring its readiness to enter upon peace negotiations beginning April 10. Place indicated by Polish Government for these negotiations is Bobruisk [or] Borysow.

GIBSON

760c.61/39 : Telegram

The Minister in Poland (Gibson) to the Secretary of State

WARSAW, *March 31, 1920—11 p.m.*
[Received April 2—1 : 10 p.m.]

187. Patek yesterday received radio from Tchicherine saying that Soviet Government accepts with satisfaction invitation to meet for peace discussions. He proposes conclusion of armistice on the whole front and objects to meeting within Polish lines, suggesting instead any Esthonian town.

GIBSON

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[6] Not printed.

760c.61/40 : Telegram

The Minister in Poland (Gibson) to the Secretary of State

WARSAW, *March 31, 1920—12 p.m.*
[Received April 4—11:17 a.m.]

190. My telegram number 187, March 31, 11 p.m. Patek told me last evening that he was replying at once to message from Soviet Government. He insists on conference meeting at Borysow and calls attention to the fact that the first Soviet message asked Poland to choose the time and place of meeting. He declines to conclude armistice on the ground that technical difficulties are too great and that morale of Army would be undermined thereby. He expresses opinion that the Bolsheviki will agree to his conditions.

GIBSON

760c.61/54

The Polish Appointed Minister (Lubomirski) to the Secretary of State

No. 1212 WASHINGTON, *April 19, 1920.*

The Minister of Poland presents his compliments to the Secretary of State and begs to bring to his notice the following:

In answer to the first proposition of peace, wired by the Government of Soviet Russia to Warsaw, the Polish Government transmitted its conditions which at the same time were made known to the Minister of the United States of America in Warsaw, and which contained among other points the one that the peace negotiations should take place at Borysow, a city lying close to the fighting lines.

This condition was considered indispensable by the Polish Government because of the danger of possible propaganda and of direct contact of the delegates of Soviet Russia and their agents with the communists of other nationalities in case that another place more accessible from the outside world were to be chosen.

It is well known to the Allied Nations as well as to the Government of Poland in what a high strung atmosphere the peace discussions at Brest Litewski took place in the year of 1917, and how strenuously the Bolshevik Delegates were then endeavoring to make their voice heard.

The Polish Government desires that in this present historical moment when the question of peace is to be solved, the communistic agitation should not break through from Russia into Poland, and into western Europe, and should not be coming to disturb this peace for which the whole world is so eager.

Contrary to this just desire on the side of the Polish Government, the Government of Soviet Russia has taken a negative stand and refuses to send its delegates to Borysow, and claims referring this point to the representatives of the Allied Nations.

This step of the Government of Soviet Russia, evidently expresses a desire on their side to use the authority of the Allied Governments in view of a pressure on the Government of Poland.

The Polish Government considers that in a question so very important for the whole world at present, when all depends on stopping the Bolshevik propaganda from endangering Europe, this stand should be supported by the Government of the United States of America, and the Minister of Poland would be most grateful if the Secretary of State, could find the means to declare officially that the Government of the United States of America shares in this matter the views of the Government of Poland.

760c.61/66 : Telegram

The Chargé in Poland (White) to the Secretary of State

WARSAW, *June 12, 1920—6 p.m.*
[Received June 13—2 : 10 p.m.]

323. Military attaché informs me Kief was yesterday evacuated for strategic reasons: namely, first a desire to concentrate troops for the capture of Bolshevik army which has crossed the Dnieper to the north of Kief, and second, a desire to be freed from the cares of supervising a large urban population which contains some Bolshevik sympathizers. See telegrams from military attaché,[8] who feels with other military men that the situation hardly warrants the evacuation of the city.

The Poles are now experiencing a feeling of depression such as the Slavic temperament is subject to: disturbing factors are the Cabinet crisis, the Warsaw strike, the great numbers of the monopolized [*sic*] Bolshevik army, the Krassin negotiations in London,[9] and the general lack support in the west.

The Czechs in particular are stated to be holding up several ammunition trains destined for Poland. I understand that the Czech Government lays the responsibility for this action at the door of the railroad labor union. However, if the Department shares my views that the Poles are fighting the battle of civilization against

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[8] Not printed.

[9] For correspondence relating to the Krassin negotiations, see the section on resumption of trade with Soviet Russia, pp. 701 ff.

the Bolsheviks, I think it would be desirable, in view of the credit which the American nation enjoys with the Czechs, for the Department to address pointed inquiries to Prague.

WHITE

760c.61/160½

The Polish Minister (Lubomirski) to the Secretary of State

WASHINGTON, *July 31, 1920.*

SIR: I have the honor to submit the following cable received today for the President of the United States, from the Prime Minister of Poland:

"Mr. President, Having assumed the office of Prime Minister of Poland at this momentous hour, I hasten to renew to Your Excellency the expression of the Polish Government's deep and sincere gratitude for America's generous help and continuous sympathy extended to this country. Poland, for her part, not only has American welfare and American interest strongly at heart, but the entire Polish people consider Polish American friendship to be one of the greatest assets in the future prosperity of both countries. Let me add, Mr. President, that you having been the most staunch promoter and defensor of Polish Independence are at this hour of country's greatest need nearer and dearer than ever to every Polish heart. Witos".

Accept [etc.] CASIMIR LUBOMIRSKI

760c.61/138 : Telegram

The Chargé in Poland (White) to the Secretary of State

WARSAW, *August 4, 1920—1 p.m.*
[Received August 5—10 a.m.]

424. Red armies having taken Lomza and Brest Litowsk are advancing from those points towards Warsaw, from which they are now in places 100 kilometers removed.

In view of the Government's determination to remain in Warsaw until the last moment, the roads out from the capital may well be cut before the appointed time of evacuation.

I would like the authority of the Department to remove consulate and the bulk of my staff to a safer place, probably Graudenz, but if as seems quite likely your authority does not come in time I shall take that responsibility myself.

The relief organizations have assured me they are capable of taking care of themselves in the matter of evacuation. James White of Polish National Committee and Colonel Barber of railroad mission

have been helping me with other compatriots. The main problem appears to be to evacuate some 200 American Jews who have come for their families. The consulate has been working nights and Sundays and with the cooperation of the Hebrew Sheltering Immigrant Aid Society it is hoped that most if not all will be shipped out in good time to Danzig. I have advised all above Americans to leave.

WHITE

760c.61/135 : Telegram

The Ambassador in Great Britain (Davis) to the Secretary of State

[Paraphrase]

LONDON, *August 4, 1920—5 p.m.*
[Received August 4—3 : 43 p.m.]

1170. It is reported by the Polish Legation in London that the situation of Poland is desperate, principally because the Poles have lost morale. The only way to restore this is by showing outside interest and support. Without this it is probable that Poland will completely collapse. The British declare they cannot supply any troops as Parliament would not be willing to incur additional expense. It is believed that an adequate number of British volunteers are available, especially for aviation, but Poland lacks money to pay them. The Polish Legation has requested me, in view of these conditions, to find out whether it is at all possible that the United States would be willing to enter into a joint arrangement whereby Poland would pay Great Britain for troops by taking over a corresponding amount of the debt which Great Britain owes to America. Of course this would necessitate that the United States release Great Britain to this extent and give very liberal terms to Poland in regard to future payment. It would not, however, increase the total amount owed by Europe to America.

I have told the Polish Legation that it is my opinion that it is absolutely out of the question to secure American troops for use in Poland and that while Congress is adjourned no money or new credits can be given. I did not encourage any hope that the above proposal would be adopted but I agreed to present it and ask that you give an early answer.

The Poles fear that if the British give any assistance it will be on condition that any claims which Poland may have to East Silesia be released in favor of Germany.

DAVIS

760c.61/135 : Telegram

The Secretary of State to the Ambassador in Great Britain (Davis)

[Paraphrase]

WASHINGTON, *August 6, 1920—4 p.m.*

846. Your telegram no. 1170, August 4, 5 p.m. Your assumption is entirely correct that our Government could not make any arrangement with the Poles to pay Great Britain for troops for Poland, which would be in effect an American loan to Poland. The Secretary of the Treasury has no authority to make such a loan and there is no doubt that Congress would refuse to authorize it. A good deal of assistance has been given to Poland, as you know, through relief work and sales of materials by the War Department on credit. We do not see what other aid can be given.

COLBY

760c.61/154 : Telegram

The Chargé in Poland (White) to the Secretary of State

WARSAW, *August 8, 1920—4 p.m.*
[Received August 10—3:10 a.m.]

437. Reds advanced on northwest yesterday; in Wyszkow region about 20 kilometers. Their nearest point to Warsaw approximately 30 miles. The Omulew River designated by Weygand [10] as line to be held between Lomza and Mlawa has apparently been forced.

The Moscow radio last night expressed willingness to communicate with Poles and listened to the conditions on which they would enter into peace negotiations but it refused to acknowledge receipt or to repeat.

Foreign Office hears that British Fleet is on the way to the Baltic.

First diplomat train leaves to-night. Moffat, myself and one Polish clerk with . . . codes remain here until Polish Ministers leave.

Sartorius [11] with . . . rest of staff in Posen where there are to be subordinate officers of Minister of Foreign Affairs. Henceforth Warsaw office can only deal with question of politics and evacuation.

Situation referred to in last quarter of my 435 August 7 [12] shows improvement.

WHITE

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[10] Gen. Maxime Weygand, of the French Army.
[11] Herman U. Sartorius, third secretary of the American legation in Poland.
[12] "The greater part of Americans here are paying no attention to Legation's warnings to leave the city." (File no. 124.60c/12.)

760c.61/163 : Telegram

The Commissioner at Berlin (Dresel) to the Secretary of State

[Paraphrase]

BERLIN, *August 9, 1920—3 p.m.*
[Received August 11—12: 53 a.m.]

945. *Vorwärts* printed yesterday an appeal calling upon workmen to be on their guard against danger that German neutrality may be violated. Associated Press transmitted this message, so the Department has noticed it. This proclamation is the first time in the history of the organized labor movement in Germany in which all elements have acted together, Communists, majority and independent Socialists, and trade unions being united. It reveals that there is a solidarity of labor sentiment and grim consequences threaten if its warnings are not heeded. Reactionaries and also a large proportion of the middle parties share in this sentiment.

The convictions which I expressed yesterday in my telegram no. 935 [12] are strengthened by this appeal. I believe that we should refuse to approve a policy allowing transport through Germany of Entente material and troops, even if it seems that Poland's fate depends entirely on such transport. Public sentiment among workmen is so united now that an attempt at transport would bring on strikes and probably armed opposition and railway destruction to such an extent as to force Germany openly to take the side of the Soviets and then all Europe would be in a blaze again. This opposition would be aroused no matter what were the concessions made by the Entente or the views of the German Government.

It is remotely possible that existing conditions may be altered by certain factors. A changed sentiment might be brought about by too severe terms of peace for Poland. Such a change would almost surely be wrought by a Bolshevik invasion of German territory. But I cannot too strongly stress my profound conviction that as things now are, an Entente violation of German neutrality would be resisted to the utmost by the vast majority of the people of Germany. The moment is filled with utterances presaging disaster if false steps are taken.

DRESEL

760c.61/163 : Telegram

The Secretary of State to the Chargé in France (Harrison)

[Paraphrase]

WASHINGTON, *August 13, 1920—6 p.m.*

1374. Have instructed the Commissioner at Berlin to repeat his no. 945, August 9, 3 p.m., to you. It is in regard to conditions which

[12] Not printed.

might arise in Germany in case Allies should try to send troops or arms to Poland across Germany.

Acquaint Foreign Office informally with views expressed in that telegram as information of a reliable character which has come to this Government as to the possible results if such action is taken. Also tell the Foreign Office that if the Allies should consider such action, this Government hopes to receive information in advance. You should keep Department closely informed as to the trends of French policy regarding sending supplies or military assistance to Poland and also any German efforts to nullify peace treaty provisions as to Germany's eastern boundaries.

COLBY

760c.61/208 : Telegram

The Ambassador in France (Wallace) to the Secretary of State

[Paraphrase]

PARIS, *August 18, 1920—8 p.m.*
[Received August 18—7:23 p.m.]

1577. A telegram has been received by Logan [13] from [apparent omission]. It is dated at Warsaw August 17 and states on the authority of an official telegram which was received that day that Tower [14] had notified Polish representative at Danzig that unless instructions were received from London munition ships would not be permitted to unload at the harbor of Danzig.

WALLACE

760c.61/215 : Telegram

The Ambassador in France (Wallace) to the Secretary of State

[Paraphrase]

PARIS, *August 20, 1920—6 p.m.*
[Received August 19—4:40 p.m.]

1578. My no. 1577, August 18. Tower has wired Paris as well as London for instructions, according to additional information from the same source. In case this matter comes before the Conference of Ambassadors, in view of the policy explained in your note of August 10 [15] shall I strongly express the hope that everything possible shall be done to insure the transportation of supplies to Warsaw?

WALLACE

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[13] James A. Logan, Jr., American assistant unofficial representative on the Reparations Commission.

[14] Sir Reginald Tower, High Commissioner of the League of Nations at Danzig.

[15] *Post*, p. 463.

760c.61/222 : Telegram

The Ambassador in France (Wallace) to the Secretary of State

[Paraphrase]

PARIS, *August 20, 1920—6 p.m.*
[Received 8:58 p.m.]

1582. Have carried out instructions given in Department's 1374, August 13, 6 p.m. I was assured by Paléologue [16] that France had not the least intention of sending supplies or troops to Poland across German territory. Goeppert,[17] who left recently to go to Berlin, was so informed by Paléologue.

Paléologue repeated that if Germany tried to nullify the provisions of the peace treaty in the east, France would take action on the Rhine. This attitude had been reported already to the Department.

WALLACE

760c.61/233 : Telegram

The Consul at Danzig (Dawson) to the Secretary of State

DANZIG, *August 21, 1920—12 a.m.*
[Received August 23—2:35 p.m.]

Danzig Constitutional Assembly voted yesterday resolution approved by all parties except [Poles] and independent Socialists requesting municipal authorities to proclaim strict neutrality in watch [*war*] Poland and Russia and to notify the interested powers immediately. Polish deputies called such action a hostile attitude towards Poland. Independent Socialists speakers rejected proclamation of neutrality as a paper declaration and condemned shipment of American food stuffs, locomotives and other supplies via Danzig as being in the nature of opening for exchange with Poland. With reference to reported embargo on American ships at Danzig the circumstances appear to be that the Allied authorities will compel such vessels to remain in the roads in view of the impossibility of discharging them at Danzig for the present. The High Commissioner informs me that British soldiers are unable to discharge such vessels, their fish of the *Triton* cargo having been an exception.

DAWSON

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[16] Maurice G. Paléologue, secretary general of the French Ministry of Foreign Affairs.

[17] Heinrich Goeppert, president of the German delegation to the Peace Conference.

760c.61/215 : Telegram

The Secretary of State to the Ambassador in France (Wallace)

[Paraphrase]

WASHINGTON, *August 21, 1920—2 p.m.*

1391. Reference your telegram no. 1578 of August 19, 5 p.m. If the matter of shipping supplies to Poland should come up for discussion in the Conference of Ambassadors, hope that their transportation may be facilitated may be expressed by you, provided there is a clear understanding that such supplies are to be used only in defending Polish territory and not to make it possible for Poland again to undertake to invade Russia.

In addition you may state that although the Government of the United States appreciates that it is difficult to effect the transport of munitions with the social conditions which now prevail in Europe, it would be opposed to any efforts to force such transport in opposition to the local or national authorities of the territories through which it is desired to ship the supplies.

While you may express your views as indicated above, do not take part in giving any instructions to Tower. He is not the agent of the Conference of Ambassadors, but of the League of Nations. Since the United States has not joined the League, it would not be appropriate for this Government to instruct the League representative at the city of Danzig.

COLBY

760c.61/224A : Telegram

The Secretary of State to the Chargé in Poland (White)[18]

WASHINGTON, *August 21, 1920—6 p.m.*

363. You may deliver the following note to the Polish Minister for Foreign Affairs.

"The Secretary of State has the honor to acknowledge on behalf of the President of the United States the gratifying message from Premier Witos of August 1st [*July 31*],[19] expressing the Polish Government's deep and sincere gratitude for America's help and continued sympathy extended to Poland. In a note under date of August 10th, from the Secretary of State to the Italian Ambassador,[20] a copy of which you have no doubt received, the Government of the

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[18] Text of note repeated Aug 27, 4 p.m., to the Chargé in Great Britain (no. 919) for informal communication to the British Government and to be repeated to the Ambassadors in France (no. 1407) and Italy (no. 161) for similar action (file no. 760c.61/264a).

[19] See note of July 31 from the Polish Minister, p. 385.

[20] *Post*, p. 463.

United States reiterated its friendship for Poland as well as its earnest solicitude for the political and territorial integrity of Poland.

The United States applauds the steadfast gallantry of the Polish Army in its defense of Warsaw and is sympathetic with all necessary measures which Poland may take to preserve its political and territorial integrity. This Government, however, urges that every reasonable effort be made to terminate the present bloodshed. It could not approve the adoption of an offensive war program against Russia by the Polish Government.

The American Government is of the opinion that the Polish advance into Russia tended to create a National sentiment in that country, which ignored the tyranny and oppression from which the people suffered and afforded an undeserved support to the Bolshevik regime, which enabled its leaders to embark upon the invasion of Polish territory.

To prevent a recurrence of the present situation, the United States Government believes that the Polish Government might well take the opportunity afforded by the favorable turn of events to declare its intention to abstain from any aggressions against Russian territorial integrity; to state that its policy is not directed against the restoration of a strong and United Russia, and that pending a direct agreement as to its Eastern frontier, Poland will remain within the boundary indicated by the Peace Conference.

This Government fully appreciates the difficulties and dangers which attend dealings with the Bolsheviki, as was emphasized in the note to the Italian Ambassador, but it believes that the most effective method of combating the efforts of their negotiators would be the exhibition of real moderation by Poland and the insistence only upon such terms as are essential to the safety, the full sovereignty and the territorial integrity of the Polish state."

COLBY

760c.61/242 : Telegram

The Chargé in Poland (White) to the Secretary of State

WARSAW, *August 24, 1920—noon.*
[Received August 25—1:33 a.m.]

463. I presented the note contained in your 363, August 21, 2 [*6*] p.m. yesterday. The Minister for Foreign Affairs will make a reply, meantime I gather that his attitude is as follows. He does not acknowledge that the Peace Conference boundary corresponds with the ethnographic frontier of Poland by reason of the large Polish population situated east of that line. He indeed notes a strong tendency on the part of Lloyd George to insist that Poland respect it but as in the course of the six weeks which had elapsed since the British Premier had made such a line the basis of an armistice proposal he had neither done anything to cause it to be respected by the Reds nor given aid to the defenders, he had no right to insist that Poland

which had triumphed by its own effort should be held to a stricter observance.

When I reminded him that the alteration [*alternative*] to the Conference line had so far shown itself to be a line approaching that of 1772 which was considered an encroachment on Russia, he assured me that so long as his Ministry lasted there would be no attempt to renew the Kieff venture. Owing to its geographical position Poland must be friendly with either Russia or Germany; the latter having shown itself the hereditary foe there must be an understanding with the eastern neighbor. No Muscovite, saving a few reactionary officials, considered the Vilna province as Russian in character. In practice the question of the eastern frontier would solve itself in the following manner. Either, as he ardently desired, peace would be concluded with the Bolsheviks which would necessitate a boundary satisfactory to both parties or if the war continued Polish troops would have to cooperate with Wrangel, possibly under his orders. In the latter case there would have to be a zone agreement which would also settle the question [of] the common frontier. From the military point of view it would be impossible, he insisted, to enclose the Polish armies behind an arbitrary line which would leave the enemy free to concentrate his scattered forces at leisure and [choose?] the point of attack. I reminded him that such was, nevertheless, the strategy pursued by the Finns. But apart from important differences of latitude and of morale the Finnish front has never been subjected to so determined an onslaught as that which caused the panic stricken retreat of the Poles. The rule in this war has been that success goes to the offensive.

WHITE

760c.61/237 : Telegram

The Ambassador in France (Wallace) to the Secretary of State

PARIS, *August 24, 1920—8 p.m.*
[Received August 25—1:58 a.m.]

1604. British Embassy has furnished me, this afternoon, with a copy of a telegram from Mr. Lloyd George to Lord Derby [21] dated Lucerne August 23rd, which reads as follows:

["] Following telegram repeated Mr. Balfour, London, and Lord D'Abernon,[22] Warsaw.

'I have discussed with Monsieur Giolitti the position as to the transmission of war material through Danzig. We are agreed that one of the principal objects of the arrangements made in the Treaty

[21] British Ambassador to France.
[22] British Ambassador to Germany.

of Versailles in regard to Danzig was to secure to Poland without any restriction the free use and service of the port and its communications for Polish imports and exports. In our view the powers are bound to secure fair treatment to Poland in this respect. The freedom of Danzig was secured on that condition and the freedom of the port is essential to the very existence of Poland. Subject to the assent of the French Government therefore we propose that immediate instructions should be sent on behalf of all of the Allies to the High Commissioner that he is to do everything possible to secure this. He should be told that if Danzig dockers refuse to unload the ships and convey the war materials any available labor is to be employed under the protection of the Principal Allied Powers. We propose also that instructions should be sent to British and French men-of-war and to the Allied military forces at Danzig to render him all possible support and if necessary the Allied forces on the spot should be reenforced.

Please communicate these proposals at once to the French Government and suggest that if they agree the Secretariat General, after obtaining the assent of the Italian and Japanese representatives in Paris, should send instructions in this sense to the High Commissioner at Danzig. We suggest also that the American Government should be informed with view to possible cooperation by American men-of-war. Monsieur Giolitti is sending similar instructions to the Italian Embassy in Paris.' "

Understand that Secretariat General, with the assent of Allied representatives, is sending an amplified telegram in the sense of paragraph one to Tower to-night.

Would appreciate being advised if American war vessels are ordered to Danzig.

WALLACE

760c.61/237 : Telegram

The Secretary of State to the Ambassador in France (Wallace)

[Paraphrase]

WASHINGTON, *August 25, 1920—6 p.m.*

1400. Reference your no. 1604 of August 24, 8 p.m. The suggestion made by Lloyd George and Giolitti regarding possible cooperation at Danzig by United States warships has been carefully considered by the Department.

The Department does not consider it consistent or practical for the United States to participate actively in protecting Danzig, this country not being a party to the Versailles Treaty.

Nevertheless, considering that a large number of Americans are reported to be refugees at Danzig, this Department has recommended the sending of a warship to Danzig. Such an order has been issued,

with the understanding that the object is to protect the lives of American citizens and to work in harmony with American relief agencies at Danzig.

Repeat this telegram for information to our commission at Danzig and to Berlin.

COLBY

760c.61/266

The British Ambassador (Geddes) to the Secretary of State

No. 550 WASHINGTON, *August 27, 1920.*

SIR: I have the honour, on instructions from my Government, to inform you that an adequate British Naval force is being dispatched to Dantzig to afford such assistance as may be possible to the High Commissioner with a view to securing Poland's communications with the sea, in accordance with Article 104 of the Treaty of Versailles which secures Poland's free and unrestricted use of the port of Dantzig. I understand that the French Government are also dispatching a Naval force with the same end in view.

I am instructed, in concert with my French and Italian colleagues who are, I understand, submitting a similar request,[23] to ask that orders may be issued to the Naval forces of the United States to collaborate in the maintenance of order at the port of Dantzig, having particular regard to the effect which American collaboration cannot fail to produce on the population of that port.

I have [etc.]

(For H. M. Ambassador)
MAURICE PETERSON

760c.61/266

The Under Secretary of State (Davis) to the Secretary of State

[WASHINGTON,] *August 27, 1920.*

DEAR MR. SECRETARY: The British Chargé delivered to me the attached note,[24] to which I replied that as this Government has not ratified the treaty, we could not very well take the measures indicated specifically to force compliance with the Treaty, but that we are concerned about the situation in Dantzig and would probably send a ship to Dantzig for the purpose of protecting American rights,

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[23] Similar French and Italian representations not found in Department files.
[24] Note of Aug. 27, *supra.*

property and interests. He indicated that the effect was the principal thing desired, and that this would no doubt accomplish that purpose.

If you concur, I suggest that you request the Secretary of the Navy to take the action indicated.[25]

N[ORMAN] H. D[AVIS]

760c.61/259 : Telegram

The Chargé in Poland (White) to the Secretary of State

WARSAW, *August 27, 1920—6 p.m.*
[Received August 29—2 p.m.]

468. Consul at Danzig telegraphs 25th that as a result of energetic measures taken by Great Britain and France ammunition for Poland is now being forwarded to its destination by the Free City. Naval forces have been reinforced and everything quiet. Some of ammunition being unloaded by Danzig laborers.

WHITE

760c.61/272

The Polish Minister (Lubomirski) to the Secretary of State

No. 2862 WASHINGTON, *August 28, 1920.*

SIR: I have been requested by the Government of the Republic of Poland to convey to you, Mr. Secretary, its thanks for the essential principles on the Polish situation expressed in your note of August 10 to the Italian Ambassador.[26]

The declaration that the United States Government and the American Nation are, by way of the employment of all available means solicitous for the maintenance of political independence and territorial integrity of a united, free and autonomous Polish State, is very gratifying to the Polish Nation and has been highly appreciated by the Polish Government as a guarantee that the rights of the Polish Nation shall never be curtailed. Poland sees in it the manifestation of the deep sympathy which unites both Nations, and which has so many times been demonstrated in their historical development.

I am authorized to express to the United States Government deep gratitude for its open condemnation of the political system and methods of the Bolshevik Government.

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[25] This paper bears the annotation on the margin: "Done Aug. 28/1920. B. C[olby]."

[26] *Post*, p. 463.

The note of August 10 reached Warsaw at a time when Poland was flooded by overwhelming Bolshevik forces, and when, owing to lack of material means, only a great moral strength could win the battle of Warsaw. At this decisive moment the weighty words expressed in the note proved a valuable moral support.

By the supreme effort of our national army, not only was Warsaw saved; this victory will, with the help of Providence, contribute in a considerable degree to the weakening of the Bolshevik power, which, having brutally seized the governmental machinery of Russia, is straining its efforts to force upon the world its oligarchic principles, which are contrary to the general conception of justice and democracy.

I have great pleasure in assuring you, in the name of the Polish Government, that we share the feelings of sympathy for the Russian people as manifested by the American Government.

This war, which was forced upon us by the attack made on Polish cities, is a defensive war and is waged against Bolshevism and not against the Russian people.

The most prominent leaders of the Russian nation, heading the true Russian democratic movement, see in the success of the Polish war-endeavors the national Russian interest. They acknowledge them as a very important factor in the emancipation of the Russian Nation from Bolshevik oppression, which for two and half years has been destroying the moral and material strength of Russia.

And, indeed, in this struggle with the Soviet Government, whose armies are still devastating Polish territories, the Polish Government has always been guided only by its duty to defend the independence and territorial integrity of Poland and guard Europe against the Bolshevik wave.

Accept [etc.] CASIMIR LUBOMIRSKI

760c.61/273

The Polish Minister (Lubomirski) to the Secretary of State

No. 2864 WASHINGTON, *August 30, 1920.*

SIR: I have the honor to inform you that the Legation has just received the following reply from the Minister of Foreign Affairs of the Republic of Poland, E. Sapieha, to the note of the Department of State dated August 21:[27]

"The Polish Government acknowledges receipt of the United States Government note which was handed over to the Polish Government on August 23.

"The Polish Government expresses its sincere thanks for the sympathetic attitude of the United States to Poland in this war

[27] See telegram no. 363, Aug. 21, to the Chargé in Poland, p. 391.

against the Bolshevik aggressors, and notices the generous efforts of the United States to bring about universal peace. The ideals of justice and freedom which have ruled the attitude of the American nation throughout the war and have directed the steps of the United States Government are undoubtedly responsible for the friendly advice contained in the note of the United States Government to Poland, as well as for the principles laid down in the note of the Secretary of State to the Italian Ambassador dated August 10.[28]

"Poland desired a just, lasting and equitable peace, and has not altered her attitude in consequence of her recent victory. Poland has not made war on the Russian nation, and has the most sincere desire to live on peaceful and friendly terms with her eastern neighbors. Peaceful relations between Poland and Russia will be easily established if the real spirit of justice and sound common sense dictate to both the mutual territorial concessions which, based upon the wish of the local population, the economic necessities and the national rights, will create a state of things that will render impossible a feeling of suffered wrong and future reclamations.

"The Polish Government, however, has the honor to draw the attention of the United States Government to the circumstance that the provisional eastern frontier laid down by the Peace Conference has not been respected by the Bolshevik Government. In spite of the diplomatic intervention of our allies, the red army has for a whole month advanced and ravaged territory which is admitted by all as being ethnografically Polish.

"Notwithstanding the sympathetic attitude of our allies, the Polish nation had to face the danger alone, and political events proved that it must in the first place rely upon its own military strength. If military operations necessitated the measures to prevent a renewed invasion of Poland, it could hardly be considered fair that artificial boundaries that do not bind our opponent should interfere with the military operations of the other.

"However, the Polish Government hopes that a speedy and just peace will put aside any difficulties which might arise in the case of further war. It is very gratifying for the Polish nation to feel that in the efforts to arrive at a just peace it has the support of the United States Government's sympathetic attitude."

Accept [etc.] CASIMIR LUBOMIRSKI

760c.61/268 : Telegram

The Ambassador in France (Wallace) to the Secretary of State

[Paraphrase]

PARIS, *August 30, 1920—8 p.m.*
[Received August 31—3 : 34 a.m.]

1629. Your 1407.[29] Copy of note forwarded through London was handed today to the Foreign Office. Paléologue read it carefully

[28] *Post*, p. 463.
[29] See footnote 18 p. 391.

and then stated he entirely agreed with it. He said the note was one which Millerand himself could sign. The French representative at Warsaw has already been instructed by the Foreign Office in the same sense, and the Foreign Office hopes that Poland will have enough wisdom to follow the course which has been outlined.

WALLACE

760c.61/280 : Telegram

The Consul at Danzig (Dawson) to the Secretary of State

DANZIG, *August 31, 1920—7 p.m.*
[Received September 2—5 p.m.]

Danzig port laborers in meeting held this morning decided by considerable majority in spite of radical opposition to discharge war material for Poland themselves. The local situation may now be considered as normal and the High Commissioner informs me that in view of its improvement he expects to leave for Paris on September 5th for the final negotiations concerning the constitution of the Free City and the treaty with Poland. United States Ship *Pittsburgh* arrived off Danzig last evening and entered the port today.

DAWSON

760c.61/251 : Telegram

The Acting Secretary of State to the Ambassador in France (Wallace)[30]

[Paraphrase]

WASHINGTON, *August 31, 1920—7 p.m.*

1430. Your no. 1615, August 26, 5 p.m.[31] Since the situation regarding Poland, especially with respect to her eastern boundary, will probably come up for discussion in the Council of Ambassadors, it is the desire of this Department to give an outline of its attitude. This is to inform and guide you. It should be repeated by you to our Legation in Poland.

1. It is clearly understood by the Department that any just Polish claim to territory east of the line set by the Supreme Council of the Peace Conference on December 8, 1919, is not prejudiced by that decision at a time when Russia also can be heard.

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[30] See last paragraph for instructions to repeat to London, Rome, Berlin, and Warsaw.

[31] Not printed.

2. It is the view of this Department that Poland should not try to establish any civil administration east of the line fixed by the Peace Conference pending the determination in the future of a definite boundary. In 1919 and the first months of 1920, the Department remembers, military necessity was alleged by Poland as the reason for continuing its advance into Russia, the Poles going from one alleged strategic boundary to another. It is the very strong feeling of the Department that if the Poles advance beyond the frontier lines, such advance should have a definite and strict limit. It should only be made with a clear statement as to the necessity and the object involved, and also a declaration of the determination to evacuate when military conditions should make it possible. It is of especial importance that a veiled excuse for further invasion of Russian territory be not found in a strategic consideration. It is the desire of the Department to emphasize again the substance of the note contained in telegraphic instructions to the Chargé in Poland on August 21, answering a message from Premier Witos. The Department believes that a declaration by the Government of Poland that it is not its policy to oppose the restoration of Russia to strength and unity would have more effect in strengthening the Polish position than a series of victories beyond the boundary line.

3. It is the special wish of the Department to avoid such Polish-Lithuanian difficulty as might arise if Poland occupied Vilna. The Department believes that the issue of the possession of Vilna in the future ought not to be raised now and should not be prejudiced by occupation of the city by the armed forces of Poland.

4. As the Treaty of Versailles has not been ratified by this country, the United States cannot actively take part in negotiations between Poland and Danzig or have influence in controlling the High Commissioner's activities. The United States, nevertheless, believes that Poland is justified in its contention for free transit through Danzig. This Government thinks that proper measures to secure such freedom of transit might be taken by the powers which have ratified the Versailles Treaty.

5. Prince Sapieha in talking with White at Warsaw asked him if the making of peace with Soviet Russia would be viewed by the American Government as a desertion of the cause of the Allies. Considering the conditions in which Poland finds itself and the fact that the American Government cannot promise to render Poland material assistance if she should continue the contest, it is the view of the Department that the Poles should adopt any reasonable measures to end the present conflict.

For repetition to London as no. 935, to Rome as no. 164, Berlin as no. 1149, and Warsaw as no. 371.

DAVIS

760c.61/285 : Telegram

The Minister in Poland (Gibson) to the Secretary of State

[Extract]

WARSAW, *September 2, 1920—12 p. m.*
[Received September 6—11:10 a.m.]

483. Upon my return to Warsaw I gather the impression that the Government and people have been sobered by the events of the past few weeks [and are] undergoing a wholesome reaction which may be turned to advantage if the Allies can possibly agree upon some sound and common policy.

Prince Sapieha has described to me at considerable length his negotiations with the Bolsheviks and the powers. The constant inconsistencies and fluctuations of the various powers in their dealings with Poland would be laughable if they were not tragic in their toll of human life and unhappiness. . . .

. . . . . .

The Chief of State, Prime Minister, Minister of Foreign Affairs, my colleagues and others with whom I have talked express complete discouragement at the impossibility of finding a course for Poland to follow which will be agreeable for all her allies. Every one connected with the question longs for some concerted policy and I feel that the war weariness and anxiety for peace are such that any reasonable policy could now be enforced. It is however impossible to coerce Poland into being reasonable through conflicting advice and in the absence of material support.

There is a strong feeling that to stop at the line indicated in your telegram 363[32] would be disastrous from a military point of view. This view is entertained not only by the Polish Government but by the military representatives of the powers who are acquainted with the actual military conditions. This line of course never intended as a military line but as a basis administrative boundary to the west of which the Poles could set up a permanent administration without prejudice to further acquisitions to the east. If it can be considered as a military line all its advantages obviously lie in the hands of the Bolsheviks as they would hold the fortified positions of Brest Litovsk and Grodno which are carefully excluded from Polish occupation as well as the lateral railroads which are of vital importance. Furthermore this line is impossible from a defensive point of view and if broken the capital would be in imminent danger. General Weygand has recommended that the Poles should occupy the former German line above referred to.[33] M[ilitary] I[ntelligence] D[ivi-

[32] *Ante*, p. 391.
[33] Running east of Dubno, Pinsk, Novogrodek, etc.

sion] can furnish details on this line. Weygand advised against the occupation of Vilna as this would make too long a line and would produce a salient difficult to hold. It is evident that any public announcement that Polish [advance] would stop at the Curzon [line] would be a distinct advantage to the Bolsheviks as it would constitute an assurance that they might withdraw to the east and there unhindered, organize a drive for the annihilation of Wrangel, returning at their leisure for a fresh attack on Poland. Even with the forces they now possess they could, if not harassed, organize within a short time to strike the Poles at any given point, thereby creating a serious situation and perhaps a renewal of the crisis from which we are now emerging.

Sapieha stated that in the natural course of military operations it will probably be necessary to disregard the advice not to pass beyond the Curzon line. He said this without resentment but made it clear that in the opinion of the Government this was a matter of self preservation.

Polish opinion appears convinced that peace to-day would only be a truce of more or less indefinite duration. Conditions here are such however that the Government feels Poland must have such a peace even at the cost of sacrificing Wrangel. The country is exhausted by warfare, her whole energy is being devoted to military operations, many of the civil functions of the Government have practically ceased, and bankruptcy seems inevitable unless the population can soon be returned to productive work. Sapieha stated that he assumed the office of Foreign Minister for the avowed purpose of making an early peace, while keeping Poland faithful to her allies rather than allowing her to join with the radical elements in Russia and Germany who are making strenuous efforts to secure the ascendency here. He stated, however, that his difficult position had been further weakened by the adoption of restrictions placed upon Poland by the powers. There is a general feeling not only among radicals but even among the most pro-Ally elements who are trying to keep Poland upon the right path, that the country has had to bear the full brunt of carrying on the war and that far from receiving active help has been actually hampered by her allies not only as regards the actual fighting front but in the various other important questions. The Bolsheviks are offering frontiers far to the east of anything proposed by the Allies and at Minsk the Bolshevist representative openly jeered at the Poles for their hesitation; radical elements here are harping upon the fact that Poland was being treated more generously by her enemies than by her friends, that the Allies were doing nothing for Poland and that the only evidence of their interest was in the form of restrictions which, if observed,

would lead to the annihilation of her independence. Sapieha added that this was an argument which it was very hard to combat and that in view of the pressure exerted by the powers he did not feel that he could much longer retain office.

I venture respectfully but earnestly to urge my views that we now have an exceptional opportunity to secure adjustments which would contribute materially to the maintenance of peace in this part of the world. This opportunity can be exploited only if the Allies promptly formulate a concerted policy based upon an understanding of the political military necessities of the situation.

GIBSON

760c.61/326 : Telegram

The Minister in Poland (Gibson) to the Secretary of State

[Paraphrase]

WARSAW, *September 18, 1920—5 p.m.*
[Received September 19—10:48 p.m.]

514. The military group which surrounds Pilsudski is engaged in a clearly defined movement to keep Poland from concluding peace and to make ready for new military undertakings. They are motivated by the fact that they see in this plan the only way to rebuild their own fortunes, which have been shattered. Through their paper, the *Narod*, and by conversation they seek to have it believed that the Riga negotiations are bound to fail; that to continue the war would be less disastrous than peace, from a material standpoint; that Poland has a chance now, with Wrangel as an ally, to clear up relations with Russia and obtain the rewards arising from rendering aid to Wrangel's cause in its time of need; that it would be pusillanimous to desert General Wrangel now when he has started his undertaking; and that with the existing conditions facing Poland, she must make the decisions on these pressing problems for herself and not endanger her national existence by a useless effort to give heed to the conflicting advice which the powers give her. [Garbled group] is set aside ingeniously by explaining that the American Government either is misguided in making an attempt to preserve for Russia territories which Russia gained by violence and fraud or else is using these for trading purposes to gain the good will of the Government of Russia. In addition to carrying on extensive propaganda several agents have been sent by this group to Riga. They have minor positions on the peace commission and presumably they will seek to bring the negotiations to naught. With the ostensible purpose of reporting on the general situation, several officers have

been sent to General Wrangel. There is a movement under way to despatch openly a diplomatic and military mission to the headquarters of General Wrangel. This mission [apparent omission] popular interest in Warsaw. It will demonstrate to the Reds that there is another string to Poland's bow. The friendly reception which General Wrangel's representatives have received here is being given quite a lot of publicity.

It is not my belief that this movement has seriously affected the situation. The reason is that the Polish people are utterly tired of warfare. They yearn for any degree of peace obtainable by negotiating with the Reds. In spite of this, this particular group, it must be remembered, control the governmental and military machinery and Pilsudski apparently has the devotion of the Army. In case the various parties in this country are permitted to drift about, each looking to a different power for guidance, rather than rallying for a united plan of action, it is possible that the military party, increased by these conditions, will out maneuver them.

[Apparent omission] there is an effort at Riga to impose terms which are objectionable.

What is reported above may be valuable in understanding the propaganda of a warlike nature and what may possibly result at Riga.

GIBSON

760c.61/329

The Polish Minister (Lubomirski) to the Secretary of State

WASHINGTON, *September 20, 1920.*

SIR: In the absence of the Minister, and by request of the Government of Poland, I have the honor to convey to you, Mr. Secretary, its thanks for the timely despatch to Gdańsk [33] of the United States Cruiser *Pittsburgh*.

The presence of the Cruiser *Pittsburgh* under command of Rear Admiral Huse in the harbor of Gdańsk, was very instrumental in pacifying the local population, which was constantly incited against the enforcement of the Treaty of Versailles.

The appearance of the American Flag above the waters of Gdańsk at a moment of great difficulty for Poland has rendered invaluable service to the country.

Accept [etc.]

For the Minister:
LEON BERENSON

[33] Danzig.

760c.61/326 : Telegram

The Secretary of State to the Minister in Poland (Gibson)

[Paraphrase]

WASHINGTON, *September 23, 1920—7 p.m.*

399. Your no. 514, September 18, 5 p.m., which reports on the movement by the groups of militarists who surround Pilsudski to prevent Poland from concluding peace and to prepare the country for a new militaristic undertaking.

In the opinion of the Department it is not wise to declare the Department's views on this matter, but the Department depends upon you, in case you are asked in regard to this subject, to informally and confidentially advise that Poland should not take any such action. It is feared by the Department that if Poland continues the war, without first seeking in every way possible to make peace with the Soviet Government, she will meet with disaster. Your opinion that the people are completely tired of fighting and hence that this movement has not seriously affected them is noted by the Department. It therefore hopes that the popular wish may be fulfilled and that the military party's effort will meet with discouragement.

COLBY

760c.61/285 : Telegram

The Secretary of State to the Ambassador in France (Wallace) [34]

[Paraphrase]

WASHINGTON, *September 25, 1920—3 p.m.*

1507. It is the belief of the Department that to a large extent the difficulty in the situation regarding Poland is due to the failure of the Allied and Associated Powers to see the problem from the same point of view and to reach a measure of agreement regarding the real objective sufficient to allow their recommendations to coincide. In case the Conference of Ambassadors takes up the subject, you can express the belief of this Government in the desirability of as complete agreement as possible in any recommendation that the Conference may make at this juncture to Poland. In expressing this view you may be assured that you are giving a correct interpretation of the ideas of this Department.

COLBY

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[34] Quoted on the same date to the Minister in Poland (no. 402).

760c.61/362 : Telegram

The Minister in Poland (Gibson) to the Secretary of State

WARSAW, *September 29, 1920—8 p.m.*
[Received October 3—9 : 52 a.m.]

534. My telegram number 533, September 29, 4 p.m.[35] Farman[36] returned this evening from Slonim front reports present operations now practically concluded have deprived Bolsheviki of offensive possibilities for some time to come. States that both officers and men [frankly] longing for immediate peace. This confirms information that war weary public will support Sapieha's efforts to conclude peace without delay. Nothing but clever maneuvering by small war party [is now visible] step as against peace.

GIBSON

760c.61/390

The Russian Ambassador (Bakhmeteff) to the Acting Secretary of State

WASHINGTON, *October 14, 1920.*

MY DEAR MR. SECRETARY: The main feature of the agreement, signed according to press reports by the representatives of the Polish Government and the Soviets at Riga, is a delimitation between Poland and what the treaty qualifies as an independent Ukraine and White Russia, embodying a scheme which for the last year has been transpiring as the political program of the present Polish Government. It comprises direct aggrandizement by annexation to Poland of Russian territory and the creation, at the expense of Russia, of a cordon of independent states. The act of international injustice, which has just been completed at Riga, both in spirit and substance is closely akin to the treaty of Brest-Litovsk.

From the formal point of view the pact concluded at Riga has no validity. The Soviet Government is not recognized by any civilized nation and has no authority to act in the name of the Russian people nor to dispose of Russian territory. Moreso, the Riga arrangement contradicts the Versailles treaty, clause 87 of which specifies that, "the boundaries of Poland, not laid down in the present treaty, will be subsequently determined by the principal Allied and Associated Powers".

Formal considerations are, however, of lesser importance in comparison with the consequences which the arrangement, if given any element of permanency, will inevitably carry for the future destinies of Europe.

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[35] Not printed.
[36] Maj. Elbert E. Farman, military attaché at Warsaw.

An ethnographic delimitation has been consistently maintained by the great democratic powers as the only right solution of the Russo-Polish problem. The Russian liberals and democrats also have considered the ethnic basis as the only way to eliminate irredentism and introduce stability into the future relations be[tween] Russia and Poland.

Restored Russia will never approve of a treaty of dismemberment forcibly imposed in times of adversity; nor will the peasant population, predominantly Orthodox, of the western provinces of Russia acquiesce to the domination of Polish Catholic landlordism. The Riga treaty is thus an act pregnant with disturbance and conflict; a menace to future world peace. It is in particular a flagrant violation of the principles, announced by the United States as guiding its policy toward Russia.

In the spirit of justice and in conformity with their previous decisions, the great democratic powers could adopt no other attitude towards the Riga treaty except that of decided refusal to any international assent to the agreement. An armistice and an adjustment for the purpose of suspending hostilities can be agreed and entered upon between belligerent parties. Owing to the predatory character of the Bolsheviki certain strategic positions might be temporarily held. But no elements of permanent settlement can evolve from such arrangements; strategic expedience, moreover, should be clearly delimited from political aims and attainments.

In order that there may be no doubt in the minds of the Russian people as to the circumstances surrounding the Riga agreement, it is of vital importance that the democratic powers make clear their attitude to the events, which have taken place, and thereby eliminate any ground for suspicion of their approval, even if tacit, of the treaty concluded.

Viewing the seriousness of the situation I confidently hope that the Government of the United States, who has evidenced always its noble and friendly attitude toward the Russian people, will give favorable consideration to the problem arisen.

I avail myself [etc.] B. Bakhmeteff

OBSTRUCTIONS TO AMERICAN BUSINESS ENTERPRISES IN POLAND—PROTESTS BY THE UNITED STATES GOVERNMENT

860c.516/3 : Telegram

The Minister in Poland (Gibson) to the Secretary of State

Warsaw, *February 2, 1920—6 p.m.*
[Received February 4—8 p.m.]

58. The American Express Company which handles a large share of the remittance business of American Poles informs me that

the Minister of Finance has refused it permission either to open an office or conduct business temporarily through a local representative. The explanation offered is that no banking law has as yet been passed and that consequently the Russian law is still in force. This explanation appears unsatisfactory, in view of the American branch institutions, National City Banks and others formerly doing business in Russia. It is likewise incompatible with frequent Polish declarations that this country can develop its economic life only through the support of American capital and reputable banking connections. I am sorry to say this is not the first time I have encountered an obstructionist attitude on the part of the Minister of Finance toward American enterprises.

I believe that this obstruction can be overcome provided the Department views with favor the extension of such enterprises at the present juncture and will authorize me to proceed upon that understanding. In the present emergency case I would propose to say that if the various Americans now here, representatives of reputable banking houses, return home with merely a blunt refusal to permit them to do business and the consequent impression that the Polish Government does not really care for American banking connections, the effect on other interests would doubtless be discouraging and might prejudice future plans essential to the economic development of the country: that the present attitude is a form of doubtful wisdom and would seem to warrant careful consideration before any definite stand is taken.

It would also be of assistance if the Department would manifest interest in this question in conversation with the Polish Minister at Washington.

GIBSON

860c.516/3 : Telegram

The Secretary of State to the Minister in Poland (Gibson)

WASHINGTON, *February 13, 1920—4 p.m.*

67. Your 58, February 2. Department authorizes you to do everything possible to secure modification of attitude of Minister of Finance in favor of American Express Company. Department approves of your suggested statement. You should add that with Poland's need for economic assistance it would seem a very short-sighted policy for Poland to refuse to allow American financial institutions to do business. The Polish Minister here will be approached along similar line.

LANSING

611.60c15/1 : Telegram

The Minister in Poland (Gibson) to the Acting Secretary of State

WARSAW, *March 5, 1920—7 p.m.*
[Received March 6—6:45 a.m.]

130. Polish Government will not at present permit American firms to be registered to do business Poland on the ground that it is awaiting assurances that Polish firms may be registered in the United States. If, however, it is desired to ship goods from Poland to the United States, the export license will not be granted unless the applicant is able to produce his registration number which in the case of American firms is of course now impossible. Americans are thereby automatically barred from export trade. I should be glad to have information from the Department as to the treatment accorded Polish firms in the United States and such general instructions as the Department considers desirable.

It is of course extremely important for Poland to establish a flow of exports and such obstructionist tactics as the Government has thus far pursued are distinctly harmful to Polish interests. The Department may desire to have me take the matter up in connection with the general question of American business discussed in my number 118 of March 1, 6 p.m.[37]

GIBSON

611.60c15/1 : Telegram

The Acting Secretary of State to the Minister in Poland (Gibson)

WASHINGTON, *March 17, 1920—5 p.m.*

122. Your 130 March 5, 7 p.m.

Attitude of Polish authorities to American business incomprehensible. Department consulted Federal Trade Commission and Commerce department who state that our Federal laws do not require registration of corporations. Individual states require such registration involving payment of fees, but there is no discrimination against Polish corporations in respect thereto. It is desirable that you point out to Polish authorities extreme shortsightedness of policy which is likely to prejudice them with American business, especially in view of the coming flotation of Polish government bonds here and Poland's need of American economic assistance. Your 118 of March 1st[37] is being given careful consideration.

POLK

[37] Not printed.

860c.516/5 : Telegram

The Minister in Poland (Gibson) to the Acting Secretary of State

WARSAW, *March 18, 1920—6 p.m.*
[Received March 19—4:20 p.m.]

148. My telegram of February 2, 6 p.m. and 118 of March 1, 6 p.m.[39] Trade commissioner has received following summaries of Dept. of Commerce and Labor which should I think be considered in connection with the two telegrams referred to.

"American banks having difficulty explaining clients why Polish banks refuse honor long outstanding drafts. Unless immediate thorough action taken leading American banks will notify correspondents and clients they will not accept further payments Poland. Such action would greatly injure Polish interests. Cable list Polish banks thoroughly reliable and so organized they can pay least possible delay drafts from America. Suggest Polish Government approve lists. Is commerce bank Warsaw in good standing."

Van Norman[40] is taking matter up with Minister of Commerce and I shall hand Patek[41] informally first two sentences merely for his information.

GIBSON

860c.516/7 : Telegram

The Minister in Poland (Gibson) to the Acting Secretary of State

WARSAW, *March 19, 1920—midnight.*
[Received March 21—4:09 p.m.]

152. My number 148 of March 18, 6 p.m. Doctor Van Norman has today seen Ministers of Commerce and Finance and acquainted them with contents of Dept. of Commerce telegram. They apparently do not take the question seriously. Grabski explains that the Diet is soon to adopt a law under which American banks will probably not be allowed to establish branches here but that they might be permitted to effect payment of remittances from America. He added that in the meantime they will be permitted to make their remittances as heretofore through the Polish State Bank and the post office both of which are notoriously unsatisfying and have made no effort to effect payments. Thousands of remittances remain unpaid for periods of six to eight months. If the Polish Government is to persist in its present policy of invoking all possible technicalities

[39] Latter not printed.
[40] L. E. Van Norman, American trade commissioner at Warsaw.
[41] Stanislaus Patek, Polish Minister of Foreign Affairs.

against American enterprise, some such action as that contemplated by the American Bankers Association would seem to be inevitable. It might be helpful if announcement were to be made of the possibility of such action and press despatches to that effect sent to Poland. I am convinced that the general public has no knowledge of the present policy of the Government and would exert pressure to prevent stoppage of remittances.

GIBSON

611.60c15/orig.: Telegram

The Secretary of State to the Minister in Poland (Gibson)

WASHINGTON, *March 24, 1920—4 p.m.*

131. Yours 118, March 1st 6 p.m.[42] You are instructed to present the following note to the Government of Poland.

"The Government of the United States has observed with deep regret a number of instances of opposition and arbitrary interference by responsible Polish officials towards reputable American enterprises engaged in carrying on their legitimate business pursuits in Poland. Bearing in mind the great difficulties which Poland has been facing during the past year in the formation of her Government, it has been assumed that this regrettable situation was to be ascribed to a lack of governmental organization and not to any formulated policy of opposition. However, the growing number of cases which have recently been brought to the attention of the American Government where Americans have been denied that consideration which is to be expected for the citizens of a friendly Government, have raised in the minds of American citizens and of the American Government officials a question as to whether the Polish Government is in fact countenancing a policy of hostility toward American business.

The American Government is the more surprised at this attitude in that the Polish Government, through its representatives in America, has been systematically encouraging American business interests to establish trade relations with Poland. It has been repeatedly declared by the Polish Government and her accredited representatives that not until Poland succeeds in reestablishing her industries, export trade and banking connections, and thereby make[*making*] herself independent of foreign relief measures, will her economic and political future be made secure. The soundness of these statements is so obvious that the American Government has assumed that they represent a sincere expression of governmental policy and that reputable Americans desirous of establishing mutually profitable relations would find a friendly welcome in Poland.

The Polish Government has in its possession correspondence on a number of cases where Americans have been either denied permission to carry on business, or refused licenses for exports, or to establish agencies or branches. Some of these people have left Poland with the

[42] Not printed.

unwilling conviction that either the Polish authorities do not desire them to do business or by their dilatory tactics have made it impossible for them to do so. The Polish Government must realize that the effect produced upon American business by these reports must inevitably be unfortunate as to their practical results. American citizens do not desire preferential treatment nor do they seek unusual privileges. On the other hand, it can hardly be expected that the sympathetic responsiveness of the American Government and its people towards Poland's requirements and problems will continue undiminished if it becomes undeniably apparent that the Polish Government is neglecting to encourage and to develop sound business connections of trade and exchange, and that the repeated avowals of Polish need of American assistance are not realized in the treatment of American citizens coming on commercial errands to Poland. Furthermore, unless there is a manifest departure from the present attitude, my Government will feel obliged, as a matter of duty to its citizens, to inform American business interests and individuals who apply for passports for Poland of the present hostile attitude of officials of the Polish Government towards American business interests.

In thus frankly bringing to Your Excellency's attention my Government's concern at the unfortunate situation which is seen to be developing, I am directed to say that my Government trusts that effective steps may be taken to safeguard those enterprises whose legitimate activities are, according to the statements of your Government, essential to the economic rehabilitation and the future prosperity of your country."

COLBY

611.60c15/orig. : Telegram

The Secretary of State to the Minister in Poland (Gibson)

WASHINGTON, *March 25, 1920—5 p.m.*

139. Your 118, March 1, 6 p.m.[43] Department sent memorandum to Polish Legation [43] in the same sense as the Note you were authorized by Department's telegram 131, March 24th to deliver to Polish Government and also orally informed Legation that the matter was serious and that urgent representations ought to be made to Warsaw if difficulties were to be avoided.

Further oral representations have been made to Legation in view of your 148 and 152 [44] and they were told that if signs of a change in policy did not become soon evident in Warsaw, a *communiqué* would be given to the press. Department has reason to believe that the above has had its effect on the Legation and that in so far as it is able Legation is bringing pressure on the Polish Government.

COLBY

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[43] Not printed.
[44] *Ante*, p. 410.

611.60c15/3 : Telegram

The Minister in Poland (Gibson) to the Secretary of State

WARSAW, *March 28, 1920—7 p.m.*
[Received March 30—9:52 a.m.]

177. Department's 131, March 24, 4 p.m. received and communicated today.

Several annoying instances which have recently occurred obliged me to take a very positive stand on 22nd instance without awaiting Department's instructions. I expressed myself very frankly and forcibly at the Foreign Office. As a result there have been two meetings of the Cabinet and several officials, the Foreign Minister among them, have been sent to assure me that they will do everything in their power to remove cause of complaint. Several officials of the Ministries for Foreign Affairs and Finance have been assigned to attend to pending American questions and I am assured that obstructions and trouble makers will be severely dealt with. . . .

A high official of the Foreign Office yesterday thanked me for having spoken my mind with so much vigor. He said that his representations on our behalf in separate cases had not succeeded against a procrastination and red tape and that it required a bomb shell to awaken Cabinet to the seriousness of situation into which they were drifting.

Since the 22nd there have been a number of incidents of opposition to American interests to give point to my remarks.

We have already secured satisfactory action in a number of minor questions. Although the Government has had a shock I cannot yet judge whether the shock is severe enough to overcome general inertia and disorganization. For this reason I am glad to have Department's note and representations to Polish Legation to reinforce what I have said.

GIBSON

860c.516/9 : Telegram

The Minister in Poland (Gibson) to the Secretary of State

WARSAW, *March 30, 1920—7 p.m.*
[Received April 1—12:45 a.m.]

184. My 58, February 2, 6 p.m. and Department's 67, February 13, 4 p.m. Representatives of American Express Company have signed agreement of which I was informed only subsequently. They are to turn over United States currency to the Polish State Bank, which

will make payments through the postoffice as heretofore the only [omission] being that the American Express Company is [now] allowed to provide, at its own expense, personnel in the State Bank and some postoffices to do the actual clerical work. I am informed by representative of another American banking concern that American Express Company does business on a different basis from regular banks as it receives payment for transmission on a commission, not on an exchange basis. Therefore, regard foregoing [no?] solution of the problem.

[No signature indicated]

611.60c15/5 : Telegram

The Minister in Poland (Gibson) to the Secretary of State

WARSAW, *April 1, 1920—4 p.m.*

[Received April 5—6:48 a.m.]

188. My 155, March 19, 8 p.m.[44] Last evening I had a conversation with Patek to bid him goodbye before going on leave. I told him that I was very much discouraged by the impression I was obliged to take home as to the usefulness of an ambassador here. That in spite of his promises made to me eight days before that a special staff officer *sui generis* would be assigned to clear up pending American business, we had had a decision on just one case, and that unfavorable to us; that in the meantime a number of new cases had arisen giving cause for complaint. I went over five new cases with him to give point my remarks. Patek appeared genuinely distressed but more or less helpless. He said that both the Chief of State, Prime Minister, had said emphatically that all cause for complaint must be removed without delay and that I must leave Warsaw thoroughly satisfied; that he would take any measures I could suggest to secure immediate action. Consul and I are permitted have conference with representatives of various Ministries to propose definite measures. It seems that a large part of the difficulties lie in bureaucratic incompetency and the indifference of functionaries to the rights of others, a state of mind acquired under the Russian regime. The Department's note has had a very wholesome effect as had a telegram from Prince Lubomirski. I am for the first time hopeful of some improvement.

GIBSON

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[44] Not printed.

611.60c15/4 : Telegram

The Minister in Poland (Gibson) to the Secretary of State

[Extract]

WARSAW, *April 2, 1920—11 p.m.*
[Received April 3—10:55 p.m.]

197. My 188, April 1, 4 p.m. Had two hours conference this afternoon with Prime Minister, Minister of Foreign Affairs, Minister of Finance, and Minister of Commerce, accompanied by White and McBride.[45] Prime Minister began by saying that they were all deeply pained at feeling that Government was unfriendly to Americans, that on the contrary they were animated by a spirit of deep friendship and gratitude and desired to give us satisfaction in every way. Then one by one the other Ministers took up our cause for complaint, having brought many of the papers with them. They were distinctly on the defensive and appeared anxious to find satisfactory solutions.

On a number of these questions we were able to secure more reasonable views and on some satisfactory decisions were given and orders given on the spot. The following promises of definite and early action were made.

1. The Prime Minister to have a circular issued to all Government officers with which foreigners have dealings instructing them to show not only courtesy but a spirit of helpfulness in handling foreign matters. Any cases involving difficulties to be immediately reported to the Minister for Foreign Affairs.

2. The Minister of Interior to issue a circular to all police and *gendarmes* officials admonishing them against arbitrary action in dealing with foreigners. All cases affecting foreigners to be immediately reported to the Foreign Office.

3. A competent official to be assigned as commissioner for American affairs in the Foreign Office. It will be his duty to secure prompt and satisfactory action on pending matters and follow them through other Ministries. It is possible that Count Zoltowski who was assigned to Morgenthau Mission[46] and proved himself highly efficient will be chosen for this duty. . . .

. . . . . .

GIBSON

[45] Harry A. McBride, consul at Warsaw.
[46] For papers concerning mission, see *Foreign Relations*, 1919, vol. II, pp. 773 ff.

860c.516/20a : Telegram

The Secretary of State to the Chargé in Poland (White)

WASHINGTON, *May 4, 1920—5 p.m.*

191. You are instructed to advise informally Minister of Finance and Minister of Foreign Affairs that American press prints articles regarding delays and failure of Polish banks in honoring American remittances, and that American Bankers Association has under consideration general policy of recommending to member banks to discontinue the issuance of further drafts on Poland. Association asks official support of this Government in this course. American bankers can not be held responsible by remitters for situation in Poland. Intimate to Polish officials that this Government will be constrained to sanction contemplated action of Bankers Association unless greater toleration of American interests is shown in Poland and unless order closing banking agencies is revoked.

COLBY

860c.516/21 : Telegram

The Chargé in Poland (White) to the Secretary of State

WARSAW, *May 10, 1920—4 p.m.*
[Received 6 : 54 p.m.]

260. Department's unnumbered telegram [*191*], May 4, 5 p.m. Minister for Foreign Affairs has stated in an informal conversation that he is on the point of concluding contract with Guaranty Trust Company governing the question of remittances from America to Poland. He states that he would first submit proposition to Legation for transmission to the Department for its approval as he was not sure what would be American Government's attitude toward virtual monopoly which this contract accords. Will report to the Department. Further stated that his order closing other American banks [44] only issued after strong pressure from American Express Company.

WHITE

860c.516/22 : Telegram

The Acting Secretary of State to the Chargé in Poland (White)

[Extract]

WASHINGTON, *May 25, 1920—11 a.m.*

223. Your 261, May 10, 5 p.m.[45]

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[44] The Secretary had been informed by the Chargé in telegram no. 229 of Apr. 19, 1920, that "In accordance new banking law . . . representatives nine American banks and forwarding agencies ordered April 15th liquidate in thirty days." (File no. 860c.516/13.)

[45] Not printed.

1st. Department would gladly see remittance business largely centralized in the hands of responsible companies, but any monopolistic arrangement by which dealing in remittances by other legitimate American houses would be deemed illegal by the Polish Government would be contrary to well-established principles for which Department has always contended, and could not be agreed to.

2d. Department regards amelioration of remittance situation as of prime importance. It considers that the problem is one of efficiency and personnel in the Polish banks, private and governmental, and must be solved at the Polish end if at all. Department believes that this problem must immediately be met and solved. Department considers that Polish Government, by interfering with legitimate business of branches of American banks desirous of effecting remittance payments promptly, is causing useless suffering to those who need financial assistance from American friends, thereby making more difficult the relief work of which this Government has hitherto been an earnest advocate. Please inform Foreign Office in this sense.

. . . . . .

POLK

860c.516/26 : Telegram

The Acting Secretary of State to the Chargé in Poland (White)

[Paraphrase—Extract]

WASHINGTON, *June 9, 1920—5 p.m.*

255. There are two chief things desired: that service in the payment of remittances in Poland should be prompt and efficient, and that interference with reputable American institutions in their legitimate activities be eliminated. Only in case there is no other satisfactory method of reformation at the Polish end could either a Guaranty Trust Company or American Express Company monopoly be justified. That such arrangements would bring about satisfactory reform is doubted by the Department, but even if this is conceded, it could not be admitted by the Department that they are the only effective remedies which could be used. Any American banking institution can apply the expedient of not crediting balances to Polish financial institutions prior to the receipt of notice that payment in Poland has been made.

. . . . . .

You are instructed therefore to give promptly a formal notification to the Polish Government that this Government considers its action looking to excluding from Poland all American financial concerns, with one or two exceptions selected arbitrarily, as being distinctly injurious and inimical to American interests. You should

state also that the United States cannot favorably regard any arrangement for monopoly by which it would be deemed illegal by the Government of Poland or would become in effect impractical for any reputable American concerns to engage in legitimate remittance dealings. You should add that the failure of the Government of Poland to supply efficient means whereby remittances may be paid in Poland and its failure at the same time to assist the American branch banks in their efforts to supply such efficient means is regarded by the American Government as a course of unexpected unfriendliness, the spirit of which cannot but have an influence on the American Government when it deals with the Polish Government in the future. The inconsistency of the present attitude of the Polish Government with the banking act of March 23, recently adopted, is also noted by the American Government. By this act any bank which desires to establish itself in Poland and which agrees to be guided by the banking act's rules and regulations is granted the right to carry on banking and exchange operations. The American Government cannot look passively upon the adoption by Poland a few weeks after the passage of this act of measures which are designed to compel reputable American concerns to begin to liquidate their business by June 15 and to leave Poland eventually. You are instructed to repeat strongly the views presented in the second paragraph of the Department's telegram no. 223 of May 25, 11 a.m., with regard to the need to ameliorate the situation regarding remittances, and to state that the American Government will find it necessary to take radical action for the protection of its citizens unless the Government of Poland can give assurances.

The American Express Company's exclusive agreement is in itself considered by the Department as objectionable, and moreover the company is placed in an unfavorable light by its action in urging the Polish Government to close other American agencies. You should present this view to the American Express representatives in Warsaw and to the Polish Government.

You will please inform the Warsaw representative of the Guaranty Trust Company as to the attitude of the Department regarding their proposed agreement. The Department has fully informed the home offices of the American Express Company and the Guaranty Trust Company and also the Polish Minister here.

POLK

860c.516/10 : Telegram

The Acting Secretary of State to the Chargé in Poland (White)

[Extract]

WASHINGTON, *July 2, 1920*—6 p.m.

289. Department has withdrawn every objection to the proposed plan of the American Bankers' Association to advise and urge upon its member banks to discontinue the issuance of further drafts on Poland, until the time when the Government of Poland may extend to American interests the same considerations that are as a matter of course accorded to Polish nationals in this country and may improve facilities for prompt and efficient execution of remittance payments. A number of banks have already stopped sending money drafts to Poland.

. . . . . .

DAVIS

860c.516/35 : Telegram

The Chargé in Poland (White) to the Secretary of State

WARSAW, *July 8, 1920—6 p.m.*
[Received July 10—8:54 a.m.]

354. Department's 289, July 2, 6 p.m., and my 295, June 1, 5 p.m.[48] Based on Department's telegram 255, June 10 [9], 5 p.m. I addressed on June 14th a *note verbale* containing the following sentences:

"The Department of State is not satisfied that these agreements, American Express Company and Guaranty Trust Company, do not constitute monopolies and to any monopolies it is resolutely opposed. It has therefore directed the Legation to notify the Polish Government that it would view the closing of all American financial institutions in Poland with the exception of one or more arbitrarily selected as an action unfriendly to United States."

This attitude has consistently been maintained by the Legation and every effort has been made to make the Ministry of Finance adopt this view. A reply to Legation's note is now being drafted. When it arrives I will telegraph summary. . . .

WHITE

[48] Latter not printed.

860c.516/38 : Telegram

The Chargé in Poland (White) to the Secretary of State

WARSAW, *July 21, 1920—11 p.m.*
[Received July 23—9:45 p.m.]

385. Your number 255, June 10 [*9*], 5 p.m. Attitude of the Minister of Finance in regard to remittance question is in general as follows. The Poles reserve to themselves the right to supervise banking institutions as prescribed by the law of March 23rd. This law did not become effective until June 17th when a ministerial decree giving it force was promulgated. There is no desire on the part of the Polish Government to discriminate against American banks, in proof of which the Minister of Finance announce[s] that numerous Polish exchange bureaus have been closed in Warsaw on account of illicit dealing. Liquidation of American banks has indeed been ordered and postponed until July 15th last for new business and September 15th to close up the old business; but this Polish Government is prepared to permit continuation if they will sign a contract such as would meet the wishes of the Polish authorities. The Polish Government insists that the contract of the American Express Company was not monopolistic and that the provision for especially favored treatment therein contained referred not to other rival institutions but to mail matter, namely to give preference to money order business over ordinary correspondence.

The Minister of Finance is, however, determined so to register the remittance business that the banks engaged in this quasi philanthropic work should have no speculative interest in the Polish exchange. To this end it desires that local branches of American banks should deal in exchange only in Poland and solely with the Polish State Bank and consequently should refrain from intermediate dealing with Vienna, Berlin, Zurich and other points. As a result of a conference held yesterday between the representatives of the American banks and the Minister of Finance, at which the trade commissioner and myself were present, an agreement was virtually reached, which if duly committed to paper, signed and approved by the Department, should almost completely solve the banking aspect of the remittance problem. The American banks spokesmen were the representatives of the Public National Bank of New York and the Cosmopolitan Trust Company of Boston, who are the leaders in the American Bankers Protective Associations in Poland. The Ministry of Finance insists that no arrears now exist It appears, however, that the mails are still slow.

The agreement will provide that American banks shall submit to such supervision and inspection as the Polish Government may prescribe. The purchase of Polish marks with American dollars in not abnormal quantities and such as are necessary to cover remittances during stated periods will be permitted with the Polish State Bank at a rate to be fixed in conference between said banks and Warsaw banks or branches engaged in the business. This rate to be telegraphed daily to official Polish representatives in New York. This agreement will apply not only to those already in the field but also to newcomers.

. . . . . .

WHITE

THE TESCHEN DISPUTE WITH CZECHOSLOVAKIA

(See volume I, pages 36 ff.)

PORTUGAL

AGREEMENT WITH THE UNITED STATES FURTHER EXTENDING THE DURATION OF THE ARBITRATION CONVENTION OF APRIL 6, 1908 [1]

711.5312/23

The Portuguese Chargé (De Montalvão) to the Acting Secretary of State

[Translation]

WASHINGTON, *February 21, 1920.*

HIS EXCELLENCY THE SECRETARY OF STATE: Pursuant to instructions from the Government of the Portuguese Republic, I have the honor to ask Your Excellency to deign to advise me whether the Government of the United States of America would agree to extend the Arbitration Treaty signed between the two countries on April 6, 1908.

If the American Government is willing to renew the said treaty the Portuguese Government would regard it as a special mark of friendship to have the Government of the United States consent to the signing at Lisbon of a new agreement identical with that signed in Washington on June 28, 1913.[2]

Awaiting Your Excellency's answer for transmittal to my Government, I have [etc.]

JUSTINO DE MONTALVÃO

711.5312/23

The Secretary of State to the Portuguese Chargé (De Montalvão)

WASHINGTON, *March 24, 1920.*

SIR: I have the honor to acknowledge the receipt of your note of February 21, 1920, in which you inquire whether this Government will agree to the extension of the Arbitration Convention, concluded between the United States and Portugal on April 6, 1908. You state that your Government desires to conclude a new Agreement at Lisbon, identical with that concluded at Washington on June 28, 1913.

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[1] For text of convention, see *Foreign Relations*, 1908, p. 702.
[2] *Ibid.*, 1914, p. 1070.

In reply I have the honor to state that this Government will be pleased to renew for a period of five years from November 14, 1918, the Arbitration Convention, concluded between the United States and Portugal on April 6, 1908 and extended for five years by the Agreement concluded between these Governments on June 28, 1913.

With a view to expediting the conclusion of an agreement of this character I have the honor to enclose herewith a draft of the Agreement [3] which has the approval of this Government. I shall be pleased if you will inform me whether it is satisfactory to your Government, and if so I shall be grateful if you will supply me with the Portuguese equivalent thereof.

Accept [etc.] BAINBRIDGE COLBY

711.5312/26

The Portuguese Chargé (De Montalvão) to the Secretary of State

[Translation]

WASHINGTON, *May 9, 1920.*

HIS EXCELLENCY THE SECRETARY OF STATE: I have the honor to inform Your Excellency that the Government of the Portuguese Republic very readily agrees to the draft of Arbitration Agreement enclosed in the note of the Department of State of March 24, last.

I have the honor to forward herewith to Your Excellency the Portuguese text of the said Agreement [3] while expressing in the name of my Government the great satisfaction given it by the prompt assent of the Government of the United States to an extension of the Convention of 1908.

In compliance with my instruction, I therefore beg Your Excellency to permit me to suggest that it might be better to use in Article II of the said Agreement the phrase "President of the Portuguese Republic" instead of "President of Portugal". That is the language used in the Portuguese text, and it is my Government's confident hope that the American Government will accept it.

Thanking you in advance for the answer which I shall have to forward to my Government, I have [etc.]

JUSTINO DE MONTALVÃO

711.5312/26

The Secretary of State to the Portuguese Chargé (De Montalvão)

WASHINGTON, *June 2, 1920.*

SIR: I have the honor to acknowledge the receipt of your note of the 9th ultimo, enclosing the Portuguese equivalent of the English

[3] Not printed.

text of the draft of an Agreement enclosed in my note of March 24 last, to extend for another period of five years the Arbitration Convention of 1908 between the United States and Portugal, which draft your note states is acceptable to your Government with the exception that in article II of the Agreement the phrase "President of the Portuguese Republic" should be used in place of "President of Portugal". This suggested change is acceptable to this Government.

In deference to the wish of the Government of the Portuguese Republic that the agreement be signed at Lisbon, the President's full power authorizing the American Minister at Lisbon to sign the Agreement will be forwarded to him by the next mail with suitable instructions.

Accept [etc.] BAINBRIDGE COLBY

Treaty Series No. 656

Agreement between the United States of America and Portugal, Signed at Lisbon September 14, 1920[4]

The Government of the United States of America and the Government of the Portuguese Republic, being desirous of extending for another five years the period during which the Arbitration Convention concluded between them on April 6, 1908, extended by the Agreement concluded between the two Governments on June 28, 1913, shall remain in force, have authorized the undersigned, to wit:

The President of the United States of America:

His Excellency Colonel Thomas H. Birch, Envoy Extraordinary and Minister Plenipotentiary of the United States of America near the Portuguese Republic,

The President of the Portuguese Republic:

His Excellency João Carlos de Melo Barreto, Minister for Foreign Affairs.

to conclude the following Agreement:

ARTICLE I

The Convention of Arbitration of April 6, 1908, between the Government of the United States of America and the Government of Portugal, the duration of which by Article III thereof was fixed at a period of five years from the date of the exchange of ratifications of the said Convention on November 14, 1908, which period, by the Agreement of June 28, 1913, between the two Governments, was

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[4] In English and Portuguese; Portuguese text not printed. Ratification advised by the Senate, Mar. 7, 1921; ratified by the President, Mar. 22, 1921; ratified by Portugal, Sept. 16, 1921; ratifications exchanged at Lisbon, Sept. 29, 1921; proclaimed, Oct. 31, 1921.

extended for five years from November 14, 1913, is hereby renewed and continued in force for a further period of five years from November 14, 1918.

ARTICLE II

The present Agreement shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by the President of the Portuguese Republic, in accordance with the constitutional laws of the Republic, and it shall become effective upon the date of the exchange of ratifications, which shall take place at Lisbon as soon as possible.

Done in duplicate, in the english and portuguese languages, at Lisbon, this fourteenth day of September one thousand nine hundred and twenty.

THOS. H. BIRCH
JOÃO CARLOS DE MELLO BARRETO

RUMANIA

REFUSAL OF THE UNITED STATES TO BECOME INVOLVED IN A DISCUSSION OF RUMANIA'S CLAIMS IN THE PROVINCE OF BESSARABIA

871.014 Bessarabia/1

The Ambassador in France (Wallace) to the Secretary of State

No. 1172 PARIS, *May 7, 1920.*
[Received May 18.]

SIR: I have the honor to enclose herewith copy and translation of a note from the Secretariat General of the Peace Conference dated April 15, inquiring as to whether the recommendations of the Commission on Roumanian and Jugo-Slav Affairs as embodied in the Draft Treaty between the Principal Allied and Associated Powers and Roumania relative to Bessarabia, approved by the Commission's decisions of April 14th, are acceptable to the American Delegation.

On receipt of this note request was made of the Secretariat General for information as to the action taken by the Supreme Council as regards the question of Bessarabia since the matter was last discussed in the presence of an American representative, namely on January 20 last, (ICP 22).

I enclose herewith a copy and translation of the reply from the Secretariat General dated May 4, transmitting a copy of the declaration made by the Principal Allied Powers on March 3d last. I also enclose for the Department's information a copy of the note of the same date addressed by Mr. Lloyd George, as President of the London Conference, to Mr. Vaida Voevod, at that time Premier of Roumania.

There is also enclosed a copy of the final draft of the Bessarabian Treaty as submitted to the Conference of Ambassadors by the Commission on Roumanian and Jugo-Slav Affairs.

The Department will recall that this matter was brought up at the meeting on Sunday afternoon, April 25, at San Remo, (I.C.P. 107), by Lord Curzon, upon whose suggestion it was agreed that the matter should be delegated to the Ambassadors' Conference.

As of possible interest to the Department, I beg to enclose a memorandum on this draft treaty, submitted to me upon my request by Mr. Manley O. Hudson.[1]

[1] Not printed.

In view of the fact that my colleagues on the Conference of Ambassadors are particularly anxious that the matter should come up for discussion at an early date, I would be grateful if the Department will find it possible to instruct me by telegraph as to whether the United States will be a party to the Treaty, and if so, whether you have any objections to make to the present draft.

I have [etc.] HUGH C. WALLACE

[Enclosure 1]

The Secretariat General of the Peace Conference to the American Delegation

PARIS, *15 April, 1920.*

The Secretariat General of the Peace Conference has the honour to forward. herewith enclosed, to the American Delegation, a copy of the provisional decisions made the 14th of April by the Commission for Roumanian and Yougo-Slav affairs.

The Commission requested the Secretariat General to express to the American Delegation the regret caused by the absence of an American representative. It would like to know if the American Delegation consents to the proposals approved by the other members of the Commission.

[Subenclosure]

Draft Treaty between the Principal Allied and Associated Powers (the United States of America, the British Empire, France, Italy, and Japan) and Rumania, Concerning Bessarabia

Whereas in the interests of the general peace of Europe it is desirable at once to ensure a sovereignty over Bessarabia consistent with the desires of the population and guaranteeing to racial, religious and linguistic minorities the protection which is due to them;

And whereas on geographical, ethnographic, historical and economic grounds the reunion of Bessarabia with Roumania is fully justified;

And whereas the population of Bessarabia have manifested their desire to see Bessarabia reunited with Roumania;

And whereas Roumania is desirous of her own free will to give full guarantees of liberty and justice, without distinction of race. religion or language, in accordance with the Treaty signed at Paris on December 9, 1919, both to the inhabitants of the old kingdom of Roumania and to those of the territories recently transferred to her.

Have determined to conclude the present Treaty and have for this purpose appointed as their Plenipotentiaries the following:

Who having exchanged their full powers, found in good and due form, have agreed upon the following provisions:

ARTICLE 1

The High Contracting Parties hereby recognize the sovereignty of Roumania over the territory of Bessarabia lying between the existing frontier of Roumania, the Black Sea, the course of the Dniester from its mouth to the point where it meets the old boundary between Bukovina and Bessarabia, and this old boundary.

ARTICLE 2

A Commission composed of three members of whom one shall be appointed by the Principal Allied and Associated Powers, one by Roumania, and one by the Council of the League of Nations on behalf of Russia will be set up within fifteen days from the coming into force of the present Treaty to trace on the spot the new frontier of Roumania.

ARTICLE 3

Roumania undertakes to observe and ensure the strict observance on the territory of Bessarabia referred to in Article 1 of the provisions of the Treaty signed at Paris on December 9, 1919, by the principal Allied and Associated Powers and Roumania, and in particular to ensure to the inhabitants of Bessarabia, without distinction of race, language or religion, the same guarantees of liberty and justice as to the inhabitants of all other territories forming part of the Kingdom of Roumania.

ARTICLE 4

Nationals of the former Empire of Russia habitually resident in the territory of Bessarabia referred to in Article 1 will acquire Roumanian nationality *ipso facto* and will lose their existing nationality.

ARTICLE 5

Within two years from the coming into force of the present Treaty nationals of the former Empire of Russia more than eighteen years of age and habitually resident in the territory of Bessarabia referred to in Article 1 will be entitled to opt for any other nationality which may be open to them.

Option by a husband will cover his wife and option by parents will cover their children under 18 years of age.

Persons who have exercised the above right to opt must within the succeeding twelve months transfer their place of residence to the State for which they have opted.

They will be entitled to retain their immovable property in Roumanian territory. They may carry with them their movable property of every description. No export duties may be imposed upon them in connection with the removal of such property.

ARTICLE 6

Roumania admits and declares to be Roumanian nationals *ipso facto* and without the requirement of any formality nationals of the former Empire of Russia who were born in the territory of Bessarabia referred to in Article 1 of parents habitually resident there, even if at the date of the coming into force of the present Treaty they are not themselves habitually resident there.

Nevertheless, within two years after the coming into force of the present Treaty these persons may make a declaration before the competent Roumanian authorities in the country in which they are resident stating that they abandon Roumanian nationality, and they will then cease to be considered as Roumanian nationals. In this connection a declaration by a husband will cover his wife and a declaration by parents will cover their children under 18 years of age.

ARTICLE 7

(Proposed draft subject to the consideration of the Ports and Waterways Commission.)

The High Contracting Parties hereby recognize that the Chilia, mouth of the Danube, shall pass under the jurisdiction of the European Commission of the Danube.

Pending the conclusion of a general convention on the international regime of waterways, Roumania undertakes to apply to such portions of the river system of the Dniester as may lie within, or form the boundary of, her territory, the regime set out in the first paragraph of Article 332 and in Articles 333 to 338 of the Treaty of Peace with Germany.

ARTICLE 8

Roumania agrees to assume responsibility for such proportional part affecting Bessarabia in the Russian public debt and other Russian public liabilities of any kind as may be assigned to her under a special Convention between the Principal Allied and Associated Powers on the one hand and Roumania on the other, to be prepared by a Commission appointed by the above Powers. In the event of the Commission not arriving at an agreement within the period of two years the point at issue, shall be referred for immediate arbitration to the Council of the League of Nations.

ARTICLE 9

(Proposed draft subject to the consideration of the Drafting Committee.)

The High Contracting Parties shall invite Russia to adhere to this Treaty, so soon as there is a Government of Russia recognized

by them. They reserve the right to refer any questions that might be raised by the Russian Government with regard to the details of this Treaty as well as any future difficulties that might arise in its application, to the arbitration of the Council of the League of Nations.

[Enclosure 2]

The Secretariat General of the Peace Conference to the American Embassy at Paris

PARIS, *May 4, 1920.*

On April 22 the Embassy of the United States of America was good enough to ask the Secretariat General of the Peace Conference for information as to what conditions had led the Heads of the Governments assembled at London to examine anew the question of Bessarabia.

The Secretariat General cannot better reply to that request than by transmitting to the Embassy of the United States of America copy of the declaration which was adopted by the Representatives of the Principal Allied Powers on March 3, 1920:

"The Principal Allied Powers have hitherto found themselves unable to make any definite decision on the Bessarabian question both because they considered it a part of the general Roumanian question on which difficulties with the former Roumanian Government had impeded a settlement and because they had hoped that it would be found possible to bring about a friendly arrangement between Roumania and Russia. There appears to the Principal Allied Powers no reason any further to delay a settlement. The Roumanian Government have shown proof of their desire to settle in the interest of Roumania and Europe generally the outstanding questions at issue and have submitted to the ruling of the Supreme Council on the question of the withdrawal of their troops from Hungary, relying on the assurance of the Principal Allied Powers. The Allied Governments moreover feel that in the best interest both of Roumania and neighboring countries the Bessarabian questions should no longer be left undecided.

After taking into full consideration the general aspirations of the population of Bessarabia and the Moldavian character of that region from the geographical and ethnographical points of view, as well as the historic and economic arguments, the Principal Allied Powers pronounce themselves therefore, in favor of the reunion of Bessarabia with Roumania which has now been formally declared by the Bessarabian representatives and are desirous to conclude a treaty in recognition of this as soon as the conditions stated have been carried out. They consider that in this reunion the general and particular interests of Bessarabia should be safeguarded, more especially as regards its relations with the neighboring countries and that the rights of minorities in it should be guaranteed on the

same terms as those residing in other parts of the Roumanian Kingdom. The Principal Allied Powers reserve the right to refer any future difficulties that might arise from either of these two questions to the arbitration of the League of Nations.

March 3rd, 1920."

[Enclosure 3]

The President of the London Conference (Lloyd George) to the Rumanian Prime Minister (Vaida Voevod)

[London,] *3 March 1920.*

Your Excellency: I have the honour to inform you, on behalf of the Peace Conference, that the Supreme Council have to-day considered the demands addressed to them by Your Excellency touching the recognition by the Conference of the reunion of Bessarabia with Roumania. I take this oportunity of reminding Your Excellency that the decision of this question by the Peace Conference was adjourned till the Roumanian Government had carried out the evacuation of Hungary. The Supreme Council have, however, taken note of the pledge given them by Your Excellency on the 26th February that the evacuation of the Roumanian troops should not be delayed beyond the dates fixed by the Inter-Allied Mission to be despatched on the spot. The Council, therefore, in consideration of this, have agreed on the annexed formula [1] in recognition of the reunion of Bessarabia and Roumania. This recognition cannot, however, be embodied into the legal form of a treaty till such time as Roumanian troops have completely evacuated Hungary.

In this connection I have to refer to the question raised by the Roumanian Government of making peace with the Soviet Government of Russia. The Supreme Council would refer in reply to the statement contained in their *communiqué* of the 24th February. From this you will observe that the Supreme Council are agreed that they cannot accept the responsibility of advising Roumania to continue a war which may be injurious to their interests. Still less could they advise Roumania to adopt a policy of aggression towards Russia. Should, however, Soviet Russia attack Roumania within its legitimate frontiers the Allies will give her every possible support. The Conference consider that the present recognition by themselves of the reunion of Bessarabia with Roumania should remove the chief obstacle to any such negotiations between the Government of Russia and Roumania as the Government of Roumania may consider advisable.

I have [etc.] D. Lloyd George

[1] See draft treaty concerning Bessarabia, *supra*.

871.014 Bessarabia/1 : Telegram

The Secretary of State to the Ambassador in France (Wallace)

[Paraphrase]

WASHINGTON, *June 12, 1920—1 p.m.*

1099. Referring to Embassy's despatch 1172 of May 7, asking to be instructed regarding this Government's participation in a treaty relating to Bessarabia between the Principal Allied and Associated Powers and Rumania. This Government has steadily refused to become involved in discussion of Rumania's claims in province of Bessarabia, and at meetings of Supreme Council last autumn the attitude of the United States was made entirely clear. At a convenient opportunity, therefore, you should reiterate this Government's position, and state that the United States must again decline to become a party to any treaty tending to Russia's dismemberment.

COLBY

871.014 Bessarabia/3 : Telegram

The Ambassador in France (Wallace) to the Secretary of State

[Paraphrase]

PARIS, *September 29, 1920—8 p.m.*

[Received 11:58 p.m.]

1765. Derby[2] stated this morning at 75th session of Conference that he had received definite instructions urging immediate signature of treaty relating to Bessarabia. It was the view of those present that there is no ground for further delay in signing. Laroche[3] pointed out, however, that courtesy required that they should again invite the United States to participate. Hope was expressed by all my colleagues that the United States would join in signature, and I was requested to send by telegram one last pressing appeal. It was proposed by Laroche that, while awaiting the reply of the United States, they should communicate to Rumania the terms of the treaty. In reply I suggested that it would be desirable to receive the reply of the United States Government before communicating terms of treaty to Rumania. Accordingly it was agreed to postpone until next Monday the communication of the treaty; also to sign the treaty without further delay if a favorable reply has not been received from our Government by the time of the first meeting of the Conference after October 11.

WALLACE

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[2] British Ambassador to France.
[3] Of the French Ministry of Foreign Affairs.

871.014 Bessarabia/3 : Telegram

The Secretary of State to the Ambassador in France (Wallace)

WASHINGTON, *October 5, 1920—7 p.m.*

1539. Your 1765, September 29, 8 P.M.

In view of the consistent refusal of this Government to approve a policy which tended toward the dismemberment of Russia, as so recently emphasized in the note to the Italian Ambassador,[4] you should inform your colleagues that you have been instructed not to sign at this time any treaty disposing of Bessarabia. You should add that it is the Department's opinion that hasty action in this matter would only tend to give the Bolsheviki another pretense for arousing national spirit on the ground that the Allies were disposing of Russian territory at a time when a representative Russian Government could not be heard.

Repeat to Legation Bucharest, as Dept's 62 and Embassy London as 1057 for their information.

COLBY

763.72119/10551 : Telegram

The Ambassador in France (Wallace) to the Secretary of State

PARIS, *October 11, 1920—2 p.m.*

[Received October 12—2:14 a.m.]

1793. Mission. Seventy-eighth meeting of Conference of Ambassadors was held Friday morning October 8, Cambon[5] presiding.

1. Question of Bessarabia. I explained to my colleagues the attitude of United States Government as set forth in Department's 1539 October 5, 7 p.m., developing same more fully, pointing out that signature of treaty at this inopportune time would bolster up Bolshevist cause with resultant far reaching and evil effects and concluding by stating that I could not understand why there should be such haste to sign the treaty immediately unless there is more in the matter than had transpired in discussion at Conference. Derby and Cambon hastened to say that there was nothing of the kind. Bonin[6] stated that he had been instructed to sign if all his colleagues did; therefore he would have to forward to his Government my communication which he considered very important and which he thought should be communicated by telegraph by other colleagues to their Governments. Viscount Ishii[7] sitting for first time at Conference said he was still awaiting instructions.

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[4] Note of Aug. 10, p. 463.
[5] Jules Cambon, French representative, Conference of Ambassadors.
[6] Count Lelio Bonin Longare, Italian Ambassador to France.
[7] Japanese Ambassador to France.

As indicated in my 1765, September 29, a note was sent last week to Roumanian Government communicating draft of treaty and stating that the Principal Allied Powers were ready to sign after October 11 and pointing out that as Roumania has not yet affixed its signature to two treaties concerning it, signed on August 10 last at Sèvres, the Allies would be glad to hear that Roumania is prepared to sign them at same time as Bessarabian treaty is signed. Cambon thought signature of Bessarabian treaty should at least be postponed until Roumanian Government answers this note. Derby, however, reiterated that he hoped treaty could be signed at earliest possible moment and that he was prepared to sign even if he was only one of my colleagues who could do so. It appeared that he was only one of my colleagues who was not concerned over statement made by me pursuant to Department's instructions.

. . . . . .

WALLACE

871.014 Bessarabia/5 : Telegram

The Ambassador in France (Wallace) to the Secretary of State

PARIS, *October 29, 1920—3 p.m.*
[Received 6:55 p.m.]

1866. Mission. Bessarabian treaty was signed October 28th by Cambon, Derby, Jonesco,[8] and Ghika.[9] Ishii being at Brussels, treaty was left open for his signature[10] as well [as] for those of British Dominions.

WALLACE

871.014 Bessarabia/7 : Telegram

The Chargé in Great Britain (Wright) to the Secretary of State

LONDON, *November 7, 1920—6 p.m.*
[Received November 7—4:17 p.m.]

1588. Wireless News of the 3d instant contains following message in regard to Bessarabian question:

"To Earl Curzon of Kedleston, Foreign Office, London. Moscow, November 1. Having learned that a treaty has just been signed between the Allied Great Powers and Roumania dealing with the annexation of Bessarabia by latter, the governments of Russia and

[8] Take Jonesco, Rumanian Minister for Foreign Affairs.
[9] Prince Dimitrie Ghika, Rumanian Minister to France.
[10] Viscount Ishii signed on Oct. 30.

the Ukraine declare herewith that they cannot recognize any transaction as to Bessarabia carried out without their participation as having any force or validity and that they do not consider themselves tied by a treaty concluded between other governments on the subject. Signed Tchitcherin, People's Commissary for Foreign Affairs of the Russian Republic. Rakovsky, President of the Council of People's Commissaries and People's Commissary for Foreign Affairs of the Ukrainian Republic."

Paris informed.

WRIGHT

RUSSIA

POLICY OF THE UNITED STATES TOWARD THE SOVIET GOVERNMENT

Memorandum by the Secretary of State Reviewing the Past Attitude of the United States toward Russia—Reluctance of the American Government Either to Recognize the Soviet Authority or to Countenance a Dismemberment of Russia—Overture from Chicherin Proposing Peace and Commerce between Russia and the United States—Refusal by the United States to Be Represented on a Proposed Committee of the League of Nations to Investigate Conditions in Russia—Denial of Diplomatic Status to Ludwig Martens, Arrived in the United States as Representative of the Soviet Government—Formal Statement by the United States Government of Its Views Regarding Russia in a Note to the Italian Ambassador; Note from Chicherin to the Italian Ambassador—Deportation of Martens

861.00/5829a

The Secretary of State to President Wilson

THE PRESIDENT: The present political and economic situation of the Russian people imposes, in my judgment, upon the Government of the United States the duty of determining upon a definite course of action for the future in dealing with Russia and of furnishing the means necessary to act in accordance with such determination. I have, therefore, the honor to lay before you the following report as to the present conditions existing in Russia, their causes, their importance to other nations, and the necessity to this country and to other countries of changing these conditions, together with suggestions as to practical means of accomplishing this change and the specific agencies which, if created, might be effectively employed to that end.

It is clear that the early settlement of the difficulties by which Russia is now distracted is of vital concern to the United States. Russia is among the largest factors in the complicated system of production and distribution by which the world is clothed and fed. It is not to be expected that economic balance can be regained and living costs brought once more to moderate levels while its vast area, comprising one-seventh of the land surface of the globe, is rendered sterile by civil distraction. It is not less vitally important to the United States that there should be established in Russia with the least possible delay a government expressive of the will of the people and capable of performing its international obligations, and that Russian resources should be no longer at the disposal of adventurous

revolutionaries, seeking to subvert democratic governments everywhere, or within reach of a possibly renascent imperialism which might conspire once more to establish itself in forcible control of the world's affairs.

These considerations led the government during the past year to adopt every measure with respect to Russia which gave promise of hastening the end of civil war, the establishment of orderly and constitutional government, and the relief of the material distress of the people. The experience of these efforts proved that it was impossible to attain the ends desired by dealing with the so-called Bolshevik group which controls the central portions of European Russia and part of Western Siberia. On the other hand, written assurance was obtained, through Admiral Kolchak and his associates, that the co-ordinated anti-Bolshevik movements would direct their efforts, if they suceeded in driving the Bolsheviki from Moscow and Petrograd, to the democratic rehabilitation of the Russian State. They expressly repudiated all attempts to revive the former land system or to impose again upon the Russian people the régime of caste and privilege which the revolution destroyed.

. . . . . .

In Siberia much energy has been devoted to helping the Russians to keep in operation the long line of railways, known as the Trans-Siberian, which stretches from Vladivostok westward into European Russia and constitutes the main artery through which the economic life of those vast regions is sustained. In the autumn of 1917 the Russian Railway Service Corps was organized in the United States and upon the invitation of the Provisional Government of Russia proceeded to Siberia.[1] The intervention of the so-called Bolshevik revolution and the attendant disorders made it impossible for the corps to begin work immediately, but in April, 1918, it commenced operations on the Chinese Eastern Railway which, while in Chinese territory, is one of the chief links in the Trans-Siberian system. It soon became necessary to provide a comprehensive plan of operation for the whole system and to co-ordinate therein the various contributory efforts of the Russians and Americans and those of our principal associates. I submit herewith the text of official notes and cablegrams, showing in detail the nature of the understanding arrived at and the terms under which the railway operations are now being carried on.[2] As you will observe, a proposal of the Japanese Government was accepted by the Government of the United States and our chief associates, whereby the general execution of the railway plan is

[1] See *Foreign Relations*, 1918, Russia, vol. III, pp. 206 ff.
[2] Enclosures not printed; see *ibid.*, pp. 249 ff.

confided to an Inter-Allied Committee, under the chairmanship of a Russian, and operations are in charge of a Technical Board, at the head of which is the distinguished American Engineer, Mr. John F. Stevens. The operating personnel of the board, so far as the United States is concerned, is provided by the Russian Railway Service Corps, which is commanded at present by Colonel G. H. Emerson and comprises about 230 American railway experts. Mr. Stevens and the Railway Service Corps have applied themselves to a peculiarly difficult and discouraging task with the same unflinching devotion which brought victory to our military operations in France. They deserve our appreciation and gratitude.

The operation of the Trans-Siberian railway has been regarded throughout as a Russian undertaking, in which the United States, Japan and the associated powers are assisting, and the costs will eventually be borne by the Russian State. To meet the immediate situation and for the purpose of paying the salaries of the Railway Service Corps and the purchase of materials in the United States and the payment of freight thereon to Siberia, there was allocated from the fund for National Security and Defense the sum of $5,000,000, practically all of which has now been either expended or appropriated to definite expenditures.

As an integral part of the railway operations, the United States is maintaining in Eastern Siberia a military force comprising approximately 9000 men. You will recall by reference to the documents submitted herewith (appendix No. 3)[4] that the maintenance of a military guard is made an indispensable condition of our continuing to assist in maintaining the railway in operation. Public order is stabilized by the presence of these troops and important sections of the railway are guarded by them from the depredations of irresponsible and adventurous bands which are taking advantage of the uncertainty of the times for their personal gain. A much larger body of troops is being maintained by Japan.

Aside from these governmental operations the people of Russia and Siberia have had within the past year the assistance and support of the American Red Cross and the Young Men's and Young Women's Christian Associations. The operations of the Red Cross in North Russia and especially in Siberia have been directed to the relief of the sick and needy and have called forth from the local officials and the people alike expressions of the most profound gratitude.

Means have been studied by which relief might also be extended to the innocent people within the Bolshevik lines. They are suffering from the direst want and it would be in the purpose and desire of

[4] Enclosures not printed.

this Government to help them. The humanitarian appeal is strong and it is felt that relief of the popular distress would be one of the surest ways of fostering domestic peace and rational government. All attempts in this direction have been frustrated so far by the uncompromising attitude of the Bolsheviki, their interference, for political ends, in the distribution of food and other commodities and their persistent attempts to avail themselves of any means to spread abroad their doctrine of violence and unreason. The possibility of relieving the population within the Bolshevik lines has not, however, been given over. It is, indeed, one of the purposes of this report to lay before you the desirability of providing an agency competent to undertake measures of relief and to stimulate a resumption of normal economic life in all parts of Russia and Siberia when and where opportunity makes it practicable.

Reports reaching the Department of State indicate a constantly growing opposition to the Bolsheviki in the area of their control, manifesting itself in workmen's strikes and the activities of the so-called "Green Army" which appears to consist of armed bands of revolting peasants. The ability of the Bolsheviki to maintain themselves so far in the face of these and other difficulties is to be attributed, so far as one may judge, to the energy and ruthlessness which characterizes the Bolshevik leaders, the lethargy of large portions of the population, resulting from five years of foreign and civil war and nearly two years of famine and terror, and to the advantages inherent in a compact and central strategic position, and the possession of the machinery of government, including the means of uttering paper money.

The difficulties besetting the leaders of the anti-Bolshevik forces are very great. From a military point of view, they must operate independently over vast stretches of territory which are separated from one another and imperfectly provided with the means of communication. The military equipment which has been furnished them from the outside is not comparable in quantity with that which the Bolsheviki found at their disposal or have been able to produce in the munition factories of central Russia. They are hampered on the political side by the unwelcome adhesion of unenlightened reactionaries, the too frequent lack of administrative capacity among their followers, and the difficulties and contradictions growing out of the need for conciliating shades of opinion which in many cases have little in common in the ends which they seek beyond the elimination of the Bolsheviki. One must admire the courage with which these leaders have met the obstacles in their path and the steadfastness which they have shown up to the present time in their opposition to German imperialism, while fighting with but desultory support from

the Allied and Associated Powers, for the principles of democratic self-determination in Russia.

The issue of the struggle cannot be foretold, but I am confident that the cynical and unmoral opportunism of Lenin and his followers will not in the end prevail. It may fall before military successes of organized anti-Bolshevik movements operating openly in the field, or it may fall before less obvious forces working within the territory which the Bolsheviki now control and among those who have heretofore willingly or unwillingly accepted their domination. Events must take their course; but it lies within the right and interest, if not within the duty, of the United States and the other enlightened nations of the earth, to encourage by all available means the creation of a situation favorable to the rapid movement of events through the natural channels marked out for them by the interplay of purely Russian factors toward the establishment of a Russian government resting on the collective will of the Russian people and concerning itself with Russian affairs.

In considering the more precise nature of our future course, a clear distinction must be made between the Bolsheviki and what has come to be known by somewhat fortuitous association of events as Bolshevism. The Bolsheviki in the proper sense of the term are one wing of the Russian Social Democratic party. In 1903 differences arose in this party on the question of tactics. The other wing, known as the Mensheviki, have supported the view that they should arrive at the fulfilment of their party program by the accepted method of convincing the majority. They have advocated in this respect the principles of democracy. The Bolsheviki, led by Lenin, have stood, on the contrary, for a small, centralized and highly disciplined group of active workers who should bring about a minority revolution and establish thereby the "dictatorship of the proletariat," or forceful control of the state by a small, militant section of the unpropertied elements of the population. Such has been the history of the Bolshevik revolution in Russia. In practical application of this doctrine the Bolshevik government has developed into a military dictatorship controlled by the small group immediately surrounding Lenin. Although two years have elapsed since this group came into power, there has been no important change, except by death, in its personnel. With the aid of their immediate and devoted followers they have built up the "Red Army", the man-power for which is chiefly supplied by the conscription of peasants, and the military leadership in part by the enrollment of officers of the old régime, whose families are held as hostages for their loyal behavior. Against this machine it may be that only force will prevail.

What is commonly known as Bolshevism, on the other hand, is a popular state of mind growing out of the war and past abuses. It is compounded of demoralization and protest. It furnishes many misguided recruits to the ranks of the Bolsheviki and imparts to their movement the recurrent flushes of popular vitality which help to sustain it against the military attacks of its enemies. Bolshevism, thus conceived, is obviously not to be conquered by force. It is preeminently an economic and moral phenomenon against which economic and moral remedies alone will prevail. While recognizing the practical necessity, in certain contingencies, of supporting with military supplies the forces which seek to oust the Bolsheviki from the seat of government, I desire to emphasize above all the vital need for relieving as soon as possible the economic distress which foments and perpetuates the popular state of mind called Bolshevism.

The more efficient measures for accomplishing this are of two sorts. The first are in the nature of emergency relief and call for the distribution in especially distressed areas, at certain limited periods, of food and manufactured necessities. To furnish this relief will require approximately the sum of $25,000,000 which, if appropriated by Congress, could be expended, so far as there may be need therefor, through the Russian Bureau, Incorporated, mentioned hereinafter.

The second sort of measures are of a more permanent character, being such as will revive the normal processes of economic life. I desire to bring first to your attention under this head the need for continuing to assist in the operation of the Trans-Siberian railway. If the efficiency of this railway is still further lowered, as it undoubtedly will be in case American support is withdrawn, not only will the eastern approach to European Russia be practically shut off but the commercial and industrial life of the vast Siberian territory, which is 1,200,000 square miles larger than the forty-eight states of the American Union, will be paralyzed. One of the granaries of the world and an important source of dairy products, hides and minerals will be left, in so far as Japan and other powers do not take up the burden without our participation, to work its own way slowly out of a welter of political and economic disorganization. It is peculiarly fitting that the aid, which we have so frequently promised to the Russian people, and which we desire so fervently to give, should take, in part, this form. The organization of our own country has depended so greatly upon the development of railway communication that we bring to the same vital problem in Siberia sympathetic understanding and knowledge gained through long experience. It is an appealing thought that we, who have seen our own far-flung democracy grow strong with the development of

railway communication, should help the Russians to bind together in the same way the extensive regions which it may be expected will one day form parts of a great democratic nation. It is for these reasons possibly that the Siberian route seems the natural channel of future interchange between Russia and America. We should feel that if this channel were stopped by the disintegrating forces of political instability and social unrest, the widest door to Russia would be closed. We have, moreover, established with Japan a thorough basis for a working cooperation and the engagements thus mutually undertaken impose upon us a share of the responsibility and the burden of assisting the Siberian people through their present period of distress.

It is difficult to estimate precisely the sum needed to support the railroad work during the coming year. Much will depend upon the extent of line remaining in the control of the elements with which it is possible to cooperate, and the contributions made by other Governments. The American representative on the Inter-Allied Railroad Board places the maximum needs at $30,000,000 and it is believed that the United States should stand ready to contribute one-half of this amount or $15,000,000. The expenditures would be charged against the future Government of Russia and would eventually be covered into the Treasury.

The third measure which I desire to recommend rests upon the necessity of setting up promptly in the region served by the Trans-Siberian railway and in the accessible portions of European Russia as nearly a normal exchange of commodities as possible. In some parts of these regions the people have raw materials which they can exchange for manufactured articles. The breakdown of the usual processes of trade has been so complete, and in particular the means of transportation are so generally lacking, that this exchange cannot be effected unless some special agency is constituted which will be able to sustain operations involving longer delays and greater risks than unaided private enterprise is capable of enduring. In some regions raw materials having an outside market are inadequate in quantity or totally lacking. As it is expected that the total supplies furnished to all regions would hardly exceed the total value of the raw materials sooner or later available throughout Russia and Siberia, it will be feasible to extend relief in these cases in exchange for general Russian securities of one kind or another, provided the necessary capital is available to some competent agency for that purpose. With this situation in view, and having in mind, on the other hand, our moral obligations to Russia as an associate in the struggle against German imperialism, the impossibility of restoring normal conditions even in the United States while Russia re-

mains in economic disorganization, and the danger to our own life and institutions which proceeds from the continued existence in Russia of an active center of pernicious political and social propaganda—with these urgent considerations in mind, I suggest as a practical means of reviving commerce and restoring normal trade conditions, the creation of a governmental agency to be known as the Russian Bureau, Incorporated, and that this Bureau be supplied with a working capital of $100,000,000, to be employed under such restrictions and safeguards as may be deemed expedient, for the following purposes:

1. To provide a plan for insurance on exports to Russia while in transit and on both exports and imports while in warehouses there.
2. To make loans to American exporters who desire to make shipments to Russia.
3. To make loans to Russian Cooperative Societies, Zemstvos, Municipalities, and other established Russian organizations or responsible individuals against the production of raw material.
4. To buy, sell, or exchange commodities in a general way if within the judgment of the directors of the Bureau its main object is not being accomplished under the three foregoing heads.

Obviously, the charter of the corporation must be broadly conceived and much latitude left to the discretion of the directors, if it is to cope adequately with the difficult and rapidly shifting problems which will confront it. Its operations would be without profit. Interest should be charged on advances and premiums taken for insurance only to the extent necessary to cover operating expenses. It is contemplated that the capital allotment of the Bureau should be held intact so far as possible and eventually covered into the Treasury. Its prototype, the Russian Bureau, Incorporated, which was organized under the War Trade Board and which has recently been liquidated as a war measure, has returned to the Treasury its entire capital fund plus a certain margin of safety not yet precisely determined. It has already been observed that the appropriation recommended for the continued maintenance of the Russian Railway Service Corps and the operation of the Trans-Siberian Railway would constitute a charge against the future Russian State. The emergency relief fund of $25,000,000 would alone constitute a final and non-recoverable disbursement, so far as it may be found necessary to employ it.

In recommending these measures to you, I have given thought to the heavy burden which already rests upon the people of the United States growing out of the prosecution of the war against German

imperialism and to the measures of material relief which have already been adopted in favor of the distressed populations of Europe. I am convinced, nevertheless, that further sacrifices are necessary if we are to consolidate the fruits of victory. A limited group of men in Germany sought to impose upon the world by a policy of force and opportunism their conception of government and society. The heroism of our soldiers in the field and the devotion and self-sacrifice of our citizens at home frustrated their design. We are faced now with an issue which is different only in the nature and extent of the forces which are marshalled against us. A limited group of men in Moscow are endeavoring to impose upon the civilized world by opportunism and force a new order of existence of their own conceiving. The more destructive forms of the unrest now existing in this country cannot be disassociated from the inspiration of their propaganda and example. They have dragged Russia into a state of misery, of hideous brutality and of despair. They challenge us to the defense of our national well-being and institutions and I earnestly hope that we will reply by carrying into their immediate field of activity, in the greatest measure practicable, a contest of economic reorganization. When the necessities of our self-defense call thus for measures which instincts of humanity and loyalty also dictate, there seems to me a manifest duty imposed upon the United States which it will perform with the same vigor and determination with which it has performed every duty in the past.

Respectfully submitted,

ROBERT LANSING

WASHINGTON, *December 3, 1919.*

861.00/6105a : Telegram

The Secretary of State to the Ambassador in Great Britain (Davis)

WASHINGTON, *January 8, 1920—4 p.m.*

16. Repeat to Legations at Warsaw and Prague and Commissioner at Helsingfors:

"With respect to suggestions in certain quarters that the time has come to establish relations with the Russian Bolsheviki, it is the view of the Government of the United States that past experience has proved the futility of endeavoring to arrive at a satisfactory understanding with them. Their ultimate purposes are inimical to all established Governments and any seeming compromise which they may make with such Governments is vitiated by their avowed opportunism.

On the other hand it is possible that the Bolshevik group will never be forcibly ousted in Russia but will give way gradually to new leaders and thus evolve into a government with which it will be possible to deal. In this eventuality the utmost care will have to be exercised to determine the moment at which such an evolution is so far perfected that recognition or countenance by foreign powers of the resulting government will tend to hasten development along rational lines rather than retard it. It is believed that premature recognition would produce the latter effect by giving encouragement and support to extreme and uncompromising elements which had not yet been sloughed off. The Government of the United States is convinced that Lenin and his immediate disciples will never permanently forego the dream of world revolution or enter loyally into amicable relations with non-Bolshevik governments.

It is the belief of this Government that evolution of the kind suggested even if it has now begun has not yet progressed sufficiently to make it possible or desirable to endeavor to come to an understanding with those who remain in control of affairs at Moscow."

LANSING

861.00/6145

The Russian Ambassador (Bakhmeteff) to the Secretary of State

WASHINGTON, *January 17, 1920.*

MY DEAR MR. SECRETARY: The successes attained lately by the Bolsheviki over the forces of Admiral Kolchak and General Denikin have created a situation where the Red armies, befreed from interior entanglements, may be used by the Soviet leaders for an attempt of an armed movement to the West. Political opinion, both in this country and in Europe, seems to be fully aware of the impending danger.

There are certain elements in the situation which carry eventual consequences so grave and so unhappy that I feel it my duty to bring them to your attention with all frankness and without reserve. What I have particularly in mind is the conception prevalent in certain quarters, which, impressed by the reverses of the Russian national armies, has abandoned any reliance upon the anti-Bolsheviki forces in Russia and is laying all hope on the action of a "cordon sanitaire" composed of border states.

It is expected in this connection that all encouragement will be given to these states together with actual assistance in munitions and supplies. Besides, it is a matter of course, even if not specifically stated, that the services rendered will meet their reward. In the cases of Poland and Roumania, territorial aggrandizement

is foreseen; while the so-called Baltic states look to unreserved recognition of their independence. This would mean compensation at the expense of Russia by the violation of Russia's territorial integrity or of her sovereign rights.

Such a course would obviously react most acutely on Russian national feeling of whatever color. The Russian nationalists have fully appreciated all of the efforts directed against the Bolsheviki. Moreover, the idea of military co-operation with the Polish armies and the armed forces of the Baltic provinces has been earnestly coveted by Russian patriots. But this co-operation was based on the conception of common interests in eliminating the Bolsheviki danger and was closely affiliated with the idea of a regenerated Russia settling amiably and to mutual satisfaction the delimitation questions with the border states and satisfying on the other hand the just and reasonable aspirations of the nationalities within a reunited democratic Russia.

The situation would be entirely reversed if Russian nationalism would be faced with the prospect that the defeat of the Bolsheviki armies would lead to a dismemberment and to the humiliation of Russia. It would put every patriot, who would be lending his efforts to fight Bolshevism from within, in a position where he would be working against the most cherished treasure of Russia's constructive nationalism—that of unity and integrity of Russia.

Obviously in such a case the Bolsheviki military movement, irrespective of it's ulterior motives, would for the present assume the feature of a national aim, directed to the defense and preservation of Russia as such. Not only would the Bolsheviki gain immensely in strength but the very basis for effective patriotic opposition from within would be undermined.

I will not indulge in detailed consideration of consequences of a character more general to which a policy of fighting Bolshevism at the expense of Russia might lead in the future. It will be sufficient to mention that Russia's interior agony will be prolonged and opportunities created most propitious for the revival of imperialistic aspirations. Neither will I dwell upon the moral aspects, in the light of Russia's sacrifice and contribution to the war.

The United States have shown throughout disinterested sympathy to the Russian people and their cause. It is my earnest belief that at this critical hour the United States Government will use it's best influences to prevent a course directly menacing the national interests of Russia and which, besides being morally unjust, would lead to infinite international complications.

Accept [etc.] B. Bakhmeteff

861.00/6444 : Telegram

The Minister in Sweden (Morris) to the Acting Secretary of State

STOCKHOLM, *February 25, 1920—4 p.m.*
[Received February 26—3:41 a.m.]

66. The State Telegraph Company of Sweden has just sent me a telegram from the Foreign Minister of the Soviet Government, Tchitcherin, which he sent to me from Petrograd on the 25th instant by radio and which I feel you will want to receive immediately. In connection with this telegram I should like to refer you to my telegram 58, of February 18, 1 p.m.,[5] asking what you wish done regarding the Swedish Government communicating with the Soviet Government regarding American interests. The telegram reads as follows[6]:

"The victorious advance of the valiant Soviet army in Siberia and the universal popular movement against counter revolution and against foreign invasion which has spread with irresistable force throughout eastern Siberia, have brought quite near the prospect of reestablishing relations between Soviet Russia and the United States of America. The reports that have reached us from our representative, Martens, show with full clearness that American commerce and industry are able to help in the largest measure the great work of reconstruction of Russian economic life; that the United States can play a gigantic role in the realization of this problem; and that numerous prominent representatives of the American business world are quite willing to take an active part in this work. The more trials of civil war which Russia has gone through are receding into the past, the more all the forces of the Russian people will concentrate on the fundamental aim of the reconstruction of the country; and American production, wealth, and enterprise can be of the greatest use in helping us to attain our purpose. It can be affirmed, decidedly, that the connections between Soviet Russia and America will be of the greatest use to both parties and that both will reap from them the largest benefits. Having no intention whatever of interfering with the internal affairs of America and having for its sole aim peace and trade, the Russian Soviet Government is desirous of beginning peace negotiations with the American Government. On December 5, the seventh All-Russian Congress of Soviets, solemnly proposed to all the Governments of the Allied and Associated Powers and to each of them separately that negotiations should be commenced with the view of concluding peace. We repeat once more this proposal and ask the Government of the United States of America to inform us of its wishes with respect to the time and place of peace negotiations between the two countries. Signed, Peoples Commissary for Foreign Affairs Tchitcherin."

MORRIS

[5] Not printed.

[6] Text which follows has been corrected to agree with copy received from the Ambassador in Great Britain in his telegram no. 333, Feb. 26 (file no. 861.00/6447).

861.00/6446 : Telegram

The Minister in Sweden (Morris) to the Acting Secretary of State

STOCKHOLM, *February 26, 1920—noon.*
[Received 7:39 p.m.]

67. Referring to my 66, February 25, 4 p.m. I thought it would be of interest to you to know that I have been informed that a wireless telegram from the Soviet Government regarding peace has also been sent to Japan and Roumania and in this telegram Japan is reminded of her interests in the Far East. The note to Japan I am informed also reiterates the principles of the Soviet Government in regard to the right of self-determination of the peoples and reviews the earlier numerous proposals made to Japan while pointing to the mutual advantages of an understanding especially in view of Japan's great economic interests in the note [*East*]. The note to Roumania also proposes opening of peace negotiations.

MORRIS

861.00/6453 : Telegram

The Ambassador in Great Britain (Davis) to the Acting Secretary of State

LONDON, *February 27, 1920—11 a.m.*
[Received 12 noon.]

336. I am unofficially informed that the Council of the League of Nations will probably accede to the request made by the Supreme Council to send a committee of investigation into Russia. The Council of the League will meet at Paris in about two weeks for the selection of such a committee on which it is proposed to place a representative of England, France, Japan, and Italy and persons selected from the nationals of other [apparent omission] for peculiar fitness. Among those discussed are Nansen from Norway, Van der Veldt from Belgium, perhaps another from Czechoslovakia. The Council would probably like to include an American, not necessarily as representing the Government of the United States but no doubt with a view to relate American opinion to the project. It does not desire, however, to extend such an invitation if the Government of the United States would disapprove or if such an invitation would be summarily rejected. Do you desire that I give any intimation of the attitude of the United States in this matter? Is there any objection to the forwarding of such an invitation to a properly qualified American citizen?

DAVIS

861.00/6506 : Telegram

The Ambassador in Japan (Morris) to the Acting Secretary of State

[Paraphrase]

TOKYO, *March 5, 1920—4 p.m.*
[Received 9:30 p.m.]

80. Proposals of peace from the Soviet Government to the Japanese Government were received here on March 1. They had been forwarded through the Japanese Embassy in France. The courteous language of diplomacy is used in the message which refers to numerous offers of peace which the Bolshevik Government have made to Japan but to which the latter has made no reply. The message states that it is desirable that Japan and Russia come to a friendly and sincere understanding and offers peace in general terms. The possibility of giving recognition to domination by Japan in Asia is rather cleverly suggested. A significant sentence states that Bolshevik Russia is ready to give recognition to such special Japanese interests as have perhaps been conceded as yet by no other country. The presence in Siberia of Japanese troops is referred to and described as being in opposition to the sentiment of the people of Russia. The message suggests that Japan immediately withdraw her troops from Siberia. This proposal is put in the form of a diplomatic suggestion rather than being put forth as a demand, a condition, or a request.

There is to be a meeting of the Advisory Council this forenoon to discuss the Russian problem generally. Probably there will be no action on the proposal of the Bolshevik Government.

MORRIS

861.00/6517 : Telegram

The Commissioner at Riga (Gade) to the Acting Secretary of State

RIGA, *March 8, 1920—10 a.m.*
[Received March 9—8:37 p.m.]

120. Referring to my cable February 29, noon, 110.[7] Bolshevik courier bound America carried passport reading Louis Muller, merchant Vienna, Series A number 587,885; also membership certificate Danish Red Cross Mission, good from February 15th to March 15th; also credentials giving his name as Anderson stating he was bound for America on behalf of Communist Internationale, signed by its secretary Berzin.

[7] Not printed.

I am forwarding following papers taken from him:

1. Proposed agreement for unification American Communist Party and American Communist Labor Party. This outlines basis of union, likewise proposed national federations, spreading propaganda among non-English speaking masses in their own tongues.

2. Letter from Zinovieff [8] to the two previously mentioned parties written after having interviewed recently arrived American couriers and for purpose of closing present split American Communist parties. Letter states matter has been serious blow American Communist movement and has been discussed by Internationale. Letter advocates complete break with old Socialist Party. It states: "The most important task confronting American Communists at present moment is to draw wide proletarian masses into path of revolutionary armies proletariat for the overthrow *bourgeoisie* and capitalists." Factory workers committees must be formed in America. Foreign-born elements earnestly advised work hand in hand with American ones. Large daily newspapers must immediately be founded. Underground organization with printing plant and distributing machinery must be started.

3. Appeal of Executive Committee, Third Internationale, Moscow, to I.W.W., signed Zinovieff, January 1920.

4. Various small films containing appeals from Third Internationale.

GADE

861.00/6453 : Telegram

The Acting Secretary of State to the Ambassador in Great Britain (Davis) [9]

[Paraphrase]

WASHINGTON, *March 12, 1920—6 p.m.*

259. Your February 27, 11 a.m., no. 336.

It is not the desire of the Department that you should take the initiative in offering any information regarding the position of the American Government on this subject. Should you be questioned, however, in regard to forwarding any invitation to a citizen of the United States to become a member of a commission of this kind, you may say that the Department would not approve of such action because the Department does not consider that it would be wise to have the United States represented on such a commission even though representation were unofficial.

POLK

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[8] G. E. Zinoviev, president of the Executive Committee of the Communist International.

[9] Repeated Mar. 13, noon, to the Ambassador in France for his information.

861.00/6552 : Telegram

The Commissioner at Riga (Gade) to the Acting Secretary of State

RIGA, *March 13, 1920—4 p.m.*
[Received March 14—1 : 55 a.m.]

126. Your March 10, 4 p.m. and March 10, 5 p.m.[10] Passport issued by Hungarian Republic February 3, 1919, good for Eastern European countries with the addition Germany apparently forged. It is uncertain who was to use credentials issued to Anderson introducing him to American Communists and found on Muller and signed by Berzine-Winter. Latvian Intelligence Office believes Anderson in Moscow and due here shortly to visit Riga, family *en route* to America. I am watching matter solicitously. Anderson's wife has applied for vise to proceed Canada. Muller and companion were captured upon crossing Latvian–Bolsheviki lines, vicinity Marienhausen and shot after a court martial. Owing to my confidential relations with secret and military intelligence services, documents found on Muller were given to me for inspection. They were unquestionably authentic and after copying had to be returned to Latvian authorities, copies being sent to Washington. No mention in documents of Martens or other Bolsheviki agents in the United States. Berzine-Winter is the secretary of the permanent bureau of the Communist International in Moscow. He was Assistant Commissar of Education in Riga when city occupied by Bolsheviki and is prolific newspaper correspondent under the name of Siemelis, which freely translated into German is Winter. I do not believe he occupies any further official position. Original documents, excepting passport and films, typewritten on cloth or tissue paper. Films, when photographed and enlarged, merely certain printed extract from acts of Executive Committee, Communist International, signed Zinoviev, Danish-Russian Red Cross, Baltic office, dated Riga, are considered forgeries, this office having been previously closed by police. I am forwarding quotations *en clair*.

GADE

861.00/7790

The Russian Ambassador (Bakhmeteff) to the Acting Secretary of State

WASHINGTON, *March 22, 1920.*

MY DEAR MR. POLK: Acting upon your suggestion, I am recapitulating in brief the reasons why, in my estimation, it is of the utmost importance that a declaration be made expressing the attitude of the United States toward Russia. I am bringing forth as well the

[10] Neither printed.

main points which I think such a declaration should embody. I take advantage of the informal and personal character of this communication to express myself with all frankness.

It is unnecessary to conceal the fact that Russian national opinion has been to a great extent alienated lately from its former international affiliations. The state of mind of those Russians, who in all justice should be regarded as the nucleus of the future reconstructed national democracy, is becoming more and more confused and is approaching bewilderment and despair.

The prevailing feeling is that Russia has been treated not as an ally and a friend; that her contribution to the war is forgotten and her interests neglected. A partial *de facto* dismemberment of Russia may be followed by further compensations at her expense. Moreover, in so far as trade with Soviet Russia is concerned, events seem to lean toward a situation where expediency and prospects of immediate profit may thrust aside that what [*which*] is left of principles and lead to an accom[m]odation with the Bolsheviki.

This psychology is anything but fortunate, especially at this moment when all seems to indicate that the Bolsheviki power is outliving its temporary triumph, and undermined from within, is about to crumble. The danger, however, is increased to the utmost by the recent developments in Germany. It appears that the rather unstable equilibrium, which has characterised German political life for the last eighteen months, is at an end. Germany has entered upon a phase of eruptive activity. No matter which prevails, red or white, German foreign policy in the near future will be centered upon Russia.

Germany is apt to find a most propitious field in the bitterness fomenting in national Russia. Assuming the pose of community in misfortune, Germany may find a great opportunity in being able to advocate with apparent justification that Russia, abandoned by her former friends and associates, has no alternative but to lay her hope of national reconstruction in an affiliation with her former enemy.

I wish to emphasise, in order that all misapprehension may be avoided, that the deliberate pro-German element in Russia is extremely small and probably limited to an insignificant group of irresponsible reactionaries and ultramilitarists. Since the Bolsheviki revolution, Russian constructive opinion has maintained loyalty to her alliances and has heavily paid for this allegiance. An anti-Allied orientation is not a natural line of conduct but one into which Russia may be forcibly driven by shortsightedness and opportunistic politicianism.

It is my earnest and cherished hope that the United States will act at this crucial moment. There must be established a center around

which Russian national opinion could crystallize in the hope of a fair and sympathetic treatment and the vindication of Russia's cause through an affiliation with a great and friendly power. This should be the specific purpose of an eventual declaration.

Regarding the substance of the announcement, it should be made clear that in its attitude toward Russia, America is not prompted by selfish interests, desire of immediate profits nor pressing exigencies of political character,—that America is actuated by genuine sympathy toward the Russian people, whose contribution to the war is appreciated and who is regarded as an associate and a friend. Deploring the unhappy present of Russia's struggle for liberty, it is, however, considered to be but a passing phase. Faith in the ultimate restoration of Russia, revealing the real genius of the people. Russia an indispensable factor of world stability and return to prosperity. America's policy guided by the prospect of permanent, friendly relation with a restored Russia, based on common aim of durable peace and economic progress.

The following points should be lucidly accentuated:

1. Unreserved repudiation, in their very essence, of the principles of Bolshevism as incompatible with the American doctrine. America refusing to recognize or deal with the Bolsheviki, irrespective of their temporary triumph.
2. The satisfying of Russia's righteous interests and aspirations in the final post-war settlement as a matter of justice and a prerequisite to permanence and stability in the future relations between peoples. A restored Russia entitled to the whole of her national domain, the preservation of Russia's territorial integrity and national unity a matter of trust and good-fellowship toward a copartner in the war.

Outside of all arguments, I wish to convey to you my personal, deepest conviction that an undelayed announcement of its attitude toward Russia by the United States is of extreme, perhaps imperative importance. I feel it most keenly and I know I am right. It is a great opportunity which should not be missed. It will not only serve as a rallying point for constructive Russian nationalism, but will certainly have a most beneficial effect on European politics.

I am [etc.] B. Bakhmeteff

861.00/6617 : Telegram

The Chargé in Great Britain (Wright) to the Secretary of State

[Paraphrase]

London, *March 24, 1920—1 p.m.*
[Received March 24—12:56 p.m.]

495. Your 259 of March 12 was communicated in substance orally to an unofficial League of Nations representative on March 15. He

said that he would endeavor to have withheld the invitation to the United States which the Council had already decided to extend. Nevertheless, this morning I received a communication from the League's Secretary General which stated that at its Paris meeting, March 13, the Council had [apparent omission] to send the following telegram to the American Government, and asked that I forward it as soon as possible to Washington. I shall tell the representative of the League again about the views of the State Department. Tomorrow I shall give formal notice to the Secretary General of the League, unless instructed otherwise, that the telegram has been sent to the American Government.

The text of the message is as follows:[11]

"The Supreme Council of the Allies having requested the Council of the League of Nations to send a commission of investigation to Russia in order to obtain impartial and authoritative information regarding the conditions now prevailing in that country, the Council of the League has had the request under consideration. In view of fact that the present situation in Russia materially affects international relations it has been decided to constitute a commission to proceed to Russia as soon as possible for the purpose of obtaining impartial and authoritative information regarding the conditions prevailing there.

"The Council of the League has decided the guarantees which the commission should obtain from the Russian Soviet authorities.

"These are—complete liberty of travel, of communication, of investigation, and a guarantee of complete immunity from and of respect for the members of the commission and the inviolability of their correspondence, archives, and effects.

"The Council [of] the League will leave the commission to determine the best methods of obtaining the desired information but it hopes that special attention will be paid to the administrative, economic, financial, and transport problems and that it will not neglect general labor questions.

"In order that the advice of the commission may [apparent omission] the greater part of possible authority the Council of the League is anxious to secure the services of men of high standing and has been directed by the Council to invite a certain number of such men to form this commission, hoping, in spite of the importance of their present duties, they will not refuse to take part in a commission the results of which may so deeply affect the future.

"It is the hope of the Council that there may also be an eminent American, either acting as a member or as an associate of the commission. I have been directed to communicate this message to the Government of the United States of America and to inform you that the Council would welcome the nomination by the United States Government of an American citizen, either as a full member of the commission or to be associated with its work. As the departure of

[11] Quotation which follows not paraphrased.

the commission is a matter of much urgency the Council would be glad to be informed as soon as possible of the decision of the United States Government."

WRIGHT

861.00/6617 : Telegram

The Secretary of State to the Chargé in Great Britain (Wright)

WASHINGTON, *March 27, 1920—1 p.m.*

318. Please reply to note of Secretariat of League of Nations transmitted in your 495, March 24, 1 p.m. substantially as follows:

"I did not fail to refer to my government the text of the note in which you informed me of the decision of the Council of the League of Nations to approach the Government of the United States with the object of securing its representation, at least in a consultative capacity, upon the commission which the Council proposes to send to Russia for the purpose of reporting on conditions in that country. I am now in receipt of a reply from my government and I regret to inform you that it is not possible for the United States to be represented in any capacity upon the proposed commission."

COLBY

701.6111/561

Mr. L. Martens to the Secretary of State

NEW YORK, *March 31, 1920.*

[Received March 31.]

SIR: On March 19th, 1919, I had the honor to present to the Secretary of State of the United States of America a certificate of my appointment as the Representative in the United States of the Russian Socialist Federal Soviet Republic, together with a memorandum setting forth the situation in Russia and the desire of my Government to establish friendly relations with the United States.[12]

Awaiting a favorable decision on my request for a conference to discuss the establishment of such relations, I have maintained in the City of New York since March 19th, 1919, and in the City of Washington, since December 20th, 1919, offices of the Government of the Russian Socialist Federal Soviet Republic. My mission has been the attainment of friendly diplomatic and economic relations between the United States and Russia, and my activities have been strictly lawful and proper, as has been fully established throughout the lengthy investigations to which I have been subjected by various local and federal bodies.

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[12] Neither printed.

I have already brought to the attention of the Secretary of State the treatment to which I was subjected on the 12th day of June, 1919, and on other occasions, when I have been molested by various local police agents without any cause whatsoever.

American citizens and officials in Russia who, in view of the unsettled relations between our respective governments, have occupied in Russia a position similar to that occupied in the United States by myself and other citizens of Russia, have been treated there with every consideration, and officers of the United States Government visiting Russia have been accorded every diplomatic courtesy.

I am again the subject of proceedings by officials of your Government. On March 29, 1920, I was served with a warrant demanding my appearance this day before your immigration authorities for the institution of deportation proceedings against me. I have informed my Government of these circumstances and I take this occasion to bring them to your attention.

My original letter of March 19th, 1919, has remained unacknowledged by the Department of State. I have thus never been informed of the attitude taken towards myself or my mission by the Department of State, which I understand is the branch through which the President of the United States expresses the attitude of the Government of the United States towards the accredited representatives of other countries. I assure you, Sir, that my Government would not desire me to remain in this country to persist in a fruitless mission if the Department of State would inform me that it does not desire my presence here and does not consider favorably the establishment of friendly relations with the Government of Russia. If I am informed to that effect I shall be pleased to leave the United States as soon as facilities to reach my country are placed at my disposal.

I also take this occasion to ask your consideration for the following matter:

During the course of the investigation of my activities recently concluded by a Sub-Committee of the Senate Committee on Foreign Relations, counsel for that committee introduced into the record certain documents supplied by the Department of State and described as having been seized upon the person of some messenger or messengers proceeding from Soviet Russia. While there was nothing in those documents which bore any relation to my activities in this country, and while the documents in question did not emanate from my Government, which facts I called to the attention of the Committee, nevertheless, the press has given wide publicity to an implication that these messengers and documents were in some manner connected with my mission and had some direct connection

with my Government. The nature of the documents was such that it was impossible that they could have originated from my Government, the consistent policy of which is to refrain from any interference in the internal affairs of the United States. In view of the misapprehension which may have been created by the publication of these documents at this time, I respectfully request that the State Department may supply me with full information regarding the circumstances surrounding the apprehension of these messengers and all details regarding the contents of the documents. This information I shall at once transmit to my Government, confident that my Government will be able to demonstrate to the complete satisfaction of the Government and people of the United States that it had no connection with the matter in question.

I am [etc.]

L. MARTENS
Representative in the United States of the Russian Socialist Federal Soviet Republic

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701.6111/505

The Secretary of State to the Attorney General (Palmer)

WASHINGTON, *April 8, 1920.*

SIR: Referring to the informal request of Mr. Hoover, that this Department prepare a statement regarding diplomatic immunity as applied to the case of Mr. L. C. A. K. Martens, I have the honor to enclose, herewith for your information, a copy of a memorandum upon the subject, embodying the views of this Department regarding Mr. Marten's diplomatic status, and the diplomatic immunity to be accorded him.

I have [etc.]

For the Secretary of State:
FRANK L. POLK
Under Secretary

[Enclosure]

Memorandum Regarding the Diplomatic Status of Mr. L. Martens

[WASHINGTON,] *April 6, 1920.*

Every independent and full sovereign member of the family of nations possesses the right of legation, which is the right of a State to send and receive diplomatic envoys. This right has been accorded at times in a restricted form to Part-Sovereign and Semi-Sovereign States, the exact restrictions upon the diplomatic activity of each

being determined by the instrument defining their international position.

The Department has adopted and prescribed the seven rules of the Congress of Vienna, found in the protocol of the session of March 9, 1915 [*1815*], and the supplementary or eighth rule of the Congress of Aix-la-Chapelle of November 21, 1918 [*1818*].

Article I is as follows:

"Diplomatic agents are divided into three classes: That of ambassadors, legates or nuncios; that of envoys, ministers, or other persons accredited to sovereigns; that of chargés d'affaires accredited to ministers for foreign affairs."

A diplomatic agent when accredited to a particular State is ordinarily furnished with letters of credence, which specify his name and rank, bespeak credit for his communications, and imply an authority to transact all such business as falls legitimately within the scope of his mission. He is also generally provided with a passport attesting his name and character, and with such instructions from his Government as may be necessary.

It appears that although the right of legation is accorded full Sovereign States and may be, in a limited sense, accorded Semi-Sovereign States, that a deposed Sovereign or a community recognized as a belligerent can act only through political agents, who are not entitled to diplomatic privileges. Oppenheim, in his *Treatise on International Law*, pages 442 and 443, states as follows:

"It may, however, in consequence of revolutionary movements, be doubtful who the real head of a State is, and in such cases it remains in the discretion of foreign States to make their choice. But it is impossible for foreign States to receive diplomatic envoys from both claimants to the headship of the same State, or to send diplomatic envoys to both of them. And as soon as a State has recognized the head of a State who came into his position through a revolution, it can no longer keep up diplomatic relations with the former head. It should be mentioned that a revolutionary party which is recognized as a belligerent Power has nevertheless no right of legation, although foreign States may negotiate with such party in an informal way through political agents without diplomatic character, to provide for the temporal security of the persons and property of their subjects within the territory under the actual sway of such party. Such revolutionary party as is recognized as a belligerent Power is in some points only treated as though it were a subject of International Law; but it is not a State, and there is no reason why International Law should give it the right to send and receive diplomatic envoys."

Other authorities to the same effect are: Pitt Cobbett, *Leading Cases on International Law*, p. 300: Phillimore, Vol. II, Sec. 126, 133.

In the crisis of relations between the United States and France growing out of the conclusion of the ratification of the Jay Treaty, Mr. Monroe was recalled from the position of Minister to France and in his place was sent Mr. Pinckney. He arrived in Paris early in December, 1796, but just as the arrangements made by Mr. Monroe for his reception seemed to be complete, the Minister of Foreign Affairs informed Mr. Monroe that the Executive Directory had decided that it would no longer recognize or receive a Minister from the United States until after the redress of the grievance of France against the American Government. At that time no foreigner could remain in France without police permission and the French Government, besides refusing to recognize Pinckney as minister, declined to give him such permission and informed him that by remaining in France he made himself liable to arrest. Accordingly, he obtained his passports and retired to Amsterdam to await developments.

"A person coming into the United States as a diplomatic representative of a foreign State with credentials from Governing Powers not recognized by this Government, is accorded diplomatic privileges merely of transit and it is of courtesy, not of right, and such privileges may be withdrawn whenever there shall be cause to believe that he is engaged in or contemplates any act not consonant with the law[s], peace and public honor of the United States." (Moore's *International Law Digest*, Volume 4, p. 557).

In *Opinions of the Attorneys General*, Vol. VIII, page 473, Attorney General Cushing, states in a letter addressed to the United States District Attorney in New York:

"I have received your letter of the 26th instant, in which you state that a warrant has been issued against Parker H. French, claiming to be diplomatic representative of the State of Nicaragua, for an offence against the laws of the United States, charged to have been committed by said French recently and since he assumed such character; and as to which you request to be informed whether the said warrant shall be executed.

In reply, the President directs me, in the first place, to refer you to the following paragraphs of my letter of the 24th instant, namely:

'You will perceive that Mr. French is entitled to diplomatic privilege in the United States only in a very qualified degree. He is not an accredited minister, but simply a person coming to this country to present himself as such, and not received, by reason of its failing to appear that he represents any lawful government.

'Under such circumstances, any diplomatic privilege accorded to him is of mere transit, and of courtesy, not of right; and that courtesy will be withdrawn from him so soon as there shall be cause to believe that he is engaged in here, or contemplates, any act not consistent with the laws, the peace, or the public honor of the United States.'

He directs me to say, in the second place, that, proceeding in the spirit of the fullest consideration for the diplomatic character, he

desires you to notify Mr. French of the present charge, and to inform him that no process in behalf of the United States will be served upon him, provided he shall not become chargeable with any further offence, and shall depart from the country within a reasonable time."

In February, 1886, the Minister of Foreign Affairs of Honduras transmitted to Mr. J. Baiz, a citizen of the United States, then holding the office of Honduran Consul General at New York, the appointment as Chargé d'Affaires of the Republic to the Government of the United States. The Secretary of State refused to receive Mr. Baiz in the latter capacity. A suit was brought against Mr. Baiz in New York by a private individual. The Department of State declined to certify that he was at the time the suit was brought, invested with a diplomatic character.

In *Hollander* vs. *Baiz*, *Consul General*, 41 Fed. 735, the court stated:

"It is equally important that such high immunities should not rest upon any doubtful claim or be attached to any equivocal position. These immunities are not a mere transit privilege; they are attached to the office as representing the foreign Sovereignty. Without the office, therefore, they do not exist; nor can a foreign State justly claim that a person represents its Sovereignty or is entitled to the immunity of such representation unless he is duly accredited and received as such."

The case was carried from the District Court to the Supreme Court of the United States, and that Court, in an opinion to be found in 135 U.S. p. 403, sustained the ruling of the District Court.

On page 432 of the opinion of the Supreme Court, the following appears:

"We ought to add that while we have not cared to dispose of this case upon the mere absence of technical evidence, we do not assume to sit in judgment upon the decision of the Executive in reference to the public character of a person claiming to be a foreign minister, and therefore have the right to accept the certificate of the State Department that a party is or is not a privileged person and cannot properly be asked to proceed upon regulative [*argumentative*] or collateral proof."

In this connection, it may be pertinent to state that it belongs to the political department of the Government to determine when a so-called foreign Government shall be recognized and its action must be accepted according to the terms and intention expressed.

In the case of *Rose* vs. *Hymely* (4 Cranch, 239 [*241*], *et seq.*) Mr. Marshall stated:

"It is for governments to decide whether they will consider St. Domingo as an independent nation and until such decision shall be

made, or France shall relinquish her claim, courts of justice must consider the known [*ancient*] state of things as remaining unaltered and the sovereign power of France over that colony as still subsisting."

This Government has recognized the Provisional Government of Russia, and has received and continues to recognize Mr. Bakhmeteff as its duly accredited ambassador, and, in addition, has declined to recognize the so-called Soviet Government of Russia and has refused to receive or recognize Mr. Martens as its representative.

It would seem since it is within the jurisdiction of the political department of this Government to recognize or refuse to recognize the existence of a foreign State, which recognition, when it is accorded or refused, is binding upon the other co-ordinate branches of this Government and cannot be controverted by argument or collateral proof, that Mr. Martens is not an accredited official of a foreign Government and is not entitled by right to those diplomatic privileges recognized by International Law.

861.00/6876 : Telegram

The Ambassador in Great Britain (Davis) to the Secretary of State

[Paraphrase]

LONDON, *May 7, 1920—5 p.m.*
[Received May 7—2:11 p.m.]

748. I have received information from an official source to the effect that on behalf of Bolshevik Russia Tchitcherin seems to have decided now definitely to refuse to admit the delegation which it is the intention of the League of Nations to have investigate Russian conditions.

DAVIS

760c.61/90 : Telegram

The Secretary of State to the Ambassador in Great Britain (Davis)

[Paraphrase]

WASHINGTON, *August 2, 1920—5 p.m.*

821. For your information and guidance and for confidential repetition to Warsaw, Paris, and Rome. The Department considers it advisable to give you some of its views on Russian matters, upon which events in Poland render a decision imminent. You should keep in mind that on many important aspects of the situation the information of the Department is conflicting and fragmentary, but it is one purpose of this instruction to afford you, at a time when

the outlook is confused, such help as may be had from an expression of the views of the Department, which, of course, may be corrected and amended as the realities of conditions are revealed. You should be discreet and guarded in making such use of the Department's views here given as you may consider wise. As this Government desires that the integrity of Poland be maintained, it sympathizes with arrangements for a Polish-Russian armistice,[12] but for the present at least it does not see its way clear to take part in plans to extend the armistice negotiations so as to bring about a general European conference involving the recognition of the Bolshevik Government and a settlement of the Russian problem in a way that would almost inevitably be based on a partition of Russia. The Department sympathizes with the wish of the Allied Powers to solve peacefully the difficulties now existing in Europe, and with any justifiable steps which may be taken by them, but it has not been able to see how recognizing the Bolshevik Government can possibly promote, much less bring about, this object. For that reason the Department is opposed to any relations with the Bolshevik Government in excess of the narrowest limits within which the arranging of an armistice can be kept. This Department has consistently refused to deal at all with the Bolsheviki, a refusal which as late as the 8th of last July was repeated.[13] As the Department thinks that a real solution of the actual problem will be delayed and complicated by the dismemberment of Russia, it has been persistent in refusing to recognize the Baltic States as independent states apart from Russia.

It is the feeling of the American Government that recognition of the Soviet régime or negotiations with it involves sacrificing moral strength for the sake of material gains, advantages which will prove to be temporary and bought at a very high price. This Government feels that no permanent and just settlement of Eastern European affairs can be thus attained. The revulsion felt by the civilized world against the tyranny now holding Russia in its power is shared by this Government. This tyranny disregards all principles upon which dealings and relations between nations are founded and is not freely chosen by any considerable part of the people of Russia. A permanent and wise solution of the problem of Russia, it would seem, cannot be reached until there is put into effect a plan whereby all elements of the Russian people will be represented effectively for the consideration of the reciprocal needs, political and economic, of the different regions which made up Imperial Russia.

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[12] See section under Poland dealing with war with Russia, pp. 370 ff.
[13] See telegram no. 1215, July 7, to the Ambassador in France, p. 717.

Such a solution is vitally important to both Europe and Asia. In spite of the fact that the American Government does not see any immediate prospect of achieving such a result, it thinks that a decision arrived at in any international conference to recognize as independent governments the factions which now exercise some degree of control over territory which was part of Imperial Russia, and to establish their relationships and boundaries, is not advisable and will seriously prejudice the future of Russia and an enduring peace.

Dispositions of this sort must prove to be temporary and without doubt would fall when faced by a restored Russia resolved to vindicate its territorial integrity and unity.

The fact that Soviet leaders show indifference to certain losses of territory is without doubt explained by zeal for propaganda to spread their economic and social views, and by the feeling that peace, even though it be at the cost of Russian territory, provides the best medium for propaganda and intrigue, weapons which they would rather use than armed force. There is no doubt that their own armies, containing many elements not in sympathy with the existing régime, give them some cause for fear.

You are relied upon to report promptly any information of a kind which will correct or broaden the views of the Department.

COLBY

760c.61/300b

The Secretary of State to the Italian Ambassador (Avezzana)

WASHINGTON, *August 10, 1920.*

EXCELLENCY: The agreeable intimation, which you have conveyed to the State Department that the Italian Government would welcome a statement of the views of this Government on the situation presented by the Russian advance into Poland, deserves a prompt response, and I will attempt without delay, a definition of this Government's position not only as to the situation arising from Russian military pressure upon Poland, but also as to certain cognate and inseparable phases of the Russian question viewed more broadly.

This Government believes in a united, free and autonomous Polish State and the people of the United States are earnestly solicitous for the maintenance of Poland's political independence and territorial integrity. From this attitude we will not depart, and the policy of this Government will be directed to the employment of all available means to render it effectual. The Government therefore takes no exception to the effort apparently being made in some quarters

to arrange an armistice between Poland and Russia, but it would not, at least for the present, participate in any plan for the expansion of the armistice negotiations into a general European conference which would in all probability involve two results, from both of which this country strongly recoils, viz, the recognition of the Bolshevist regime and a settlement of Russian problems almost inevitably upon the basis of a dismemberment of Russia.

From the beginning of the Russian Revolution, in March, 1917, to the present moment, the Government and the people of the United States have followed its development with friendly solicitude and with profound sympathy for the efforts of the Russian people to reconstruct their national life upon the broad basis of popular self-government. The Government of the United States, reflecting the spirit of its people, has at all times desired to help the Russian people. In that spirit all its relations with Russia, and with other nations in matters affecting the latter's interests, have been conceived and governed.

The Government of the United States was the first government to acknowledge the validity of the Revolution and to give recognition to the Provisional Government of Russia. Almost immediately thereafter it became necessary for the United States to enter the war against Germany and in that undertaking to become closely associated with the Allied Nations, including, of course, Russia. The war weariness of the masses of the Russian people was fully known to this Government and sympathetically comprehended. Prudence, self-interest and loyalty to our associates made it desirable that we should give moral and material support to the Provisional Government, which was struggling to accomplish a two-fold task, to carry on the war with vigor and, at the same time, to reorganize the life of the nation and establish a stable government based on popular sovereignty.

Quite independent of these motives, however, was the sincere friendship of the Government and the people of the United States for the great Russian nation. The friendship manifested by Russia toward this nation in a time of trial and distress has left us with an imperishable sense of gratitude. It was as a grateful friend that we sent to Russia an expert commission to aid in bringing about such a reorganization of the railroad transportation system of the country as would reinvigorate the whole of its economic life and so add to the well-being of the Russian people.

While deeply regretting the withdrawal of Russia from the war at a critical time, and the disastrous surrender at Brest-Litovsk, the United States has fully understood that the people of Russia were in no wise responsible.

The United States maintains unimpaired its faith in the Russian people, in their high character and their future. That they will overcome the existing anarchy, suffering and destitution we do not entertain the slightest doubt. The distressing character of Russia's transition has many historical parallels, and the United States is confident that restored, free and united Russia will again take a leading place in the world, joining with the other free nations in upholding peace and orderly justice.

Until that time shall arrive the United States feels that friendship and honor require that Russia's interests must be generously protected, and that, as far as possible, all decisions of vital importance to it, and especially those concerning its sovereignty over the territory of the former Russian Empire, be held in abeyance. By this feeling of friendship and honorable obligation to the great nation whose brave and heroic self-sacrifice contributed so much to the successful termination of the war, the Government of the United States was guided in its reply to the Lithuanian National Council, on October 15, 1919,[14] and in its persistent refusal to recognize the Baltic States as separate nations independent of Russia. The same spirit was manifested in the note of this Government, of March 24, 1920,[15] in which it was stated, with reference to certain proposed settlements in the Near East, that "no final decision should or can be made without the consent of Russia."

In line with these important declarations of policy, the United States withheld its approval from the decision of the Supreme Council at Paris recognizing the independence of the socalled republics of Georgia and Azerbaijan, and so instructed its representative in Southern Russia, Rear-Admiral Newton A. McCully. Finally, while gladly giving recognition to the independence of Armenia, the Government of the United States has taken the position that the final determination of its boundaries must not be made without Russia's cooperation and agreement. Not only is Russia concerned because a considerable part of the territory of the new State of Armenia, when it shall be defined, formerly belonged to the Russian Empire: equally important is the fact that Armenia must have the good will and the protective friendship of Russia if it is to remain independent and free.

These illustrations show with what consistency the Government of the United States has been guided in its foreign policy by a loyal friendship for Russia. We are unwilling that while it is helpless in the grip of a non-representative government, whose only sanction

[14] Not printed.
[15] To the French Ambassador, p. 750.

is brutal force, Russia shall be weakened still further by a policy of dismemberment, conceived in other than Russian interests.

With the desire of the Allied Powers to bring about a peaceful solution of the existing difficulties in Europe, this Government is of course in hearty accord, and will support any justifiable steps to that end. It is unable to perceive, however, that a recognition of the Soviet regime would promote, much less accomplish this object, and it is therefore averse to any dealings with the Soviet regime beyond the most narrow boundaries to which a discussion of an armistice can be confined.

That the present rulers of Russia do not rule by the will or the consent of any considerable proportion of the Russian people is an incontestable fact. Although nearly two and a half years have passed since they seized the machinery of government, promising to protect the Constituent Assembly against alleged conspiracies against it, they have not yet permitted anything in the nature of a popular election. At the moment when the work of creating a popular representative government based upon universal suffrage was nearing completion the Bolsheviki, although, in number, an inconsiderable minority of the people, by force and cunning seized the powers and machinery of government and have continued to use them with savage oppression to maintain themselves in power.

Without any desire to interfere in the internal affairs of the Russian people, or to suggest what kind of government they should have, the Government of the United States does express the hope that they will soon find a way to set up a government representing their free will and purpose. When that time comes, the United States will consider the measures of practical assistance which can be taken to promote the restoration of Russia, provided Russia has not taken itself wholly out of the pale of the friendly interest of other nations, by the pillage and oppression of the Poles.

It is not possible for the Government of the United States to recognize the present rulers of Russia as a government with which the relations common to friendly governments can be maintained. This conviction has nothing to do with any particular political or social structure which the Russian people themselves may see fit to embrace. It rests upon a wholly different set of facts. These facts, which none dispute, have convinced the Government of the United States, against its will, that the existing regime in Russia is based upon the negation of every principle of honor and good faith, and every usage and convention, underlying the whole structure of international law; the negation, in short, of every principle upon which it is possible to base harmonious and trustful relations, whether of nations or of individuals. The responsible leaders of the regime

have frequently and openly boasted that they are willing to sign agreements and undertakings with foreign Powers while not having the slightest intention of observing such undertakings or carrying out such agreements. This attitude of disregard of obligations voluntarily entered into, they base upon the theory that no compact or agreement made with a non-Bolshevist government can have any moral force for them. They have not only avowed this as a doctrine, but have exemplified it in practice. Indeed, upon numerous occasions the responsible spokesmen of this Power, and its official agencies, have declared that it is their understanding that the very existence of Bolshevism in Russia, the maintenance of their own rule, depends, and must continue to depend, upon the occurrence of revolutions in all other great civilized nations, including the United States, which will overthrow and destroy their governments and set up Bolshevist rule in their stead. They have made it quite plain that they intend to use every means, including, of course, diplomatic agencies, to promote such revolutionary movements in other countries.

It is true that they have in various ways expressed their willingness to give "assurances" and "guarantees" that they will not abuse the privileges and immunities of diplomatic agencies by using them for this purpose. In view of their own declarations, already referred to, such assurances and guarantees cannot be very seriously regarded. Moreover, it is within the knowledge of the Government of the United States that the Bolshevist Government is itself subject to the control of a political faction, with extensive international ramifications through the Third Internationale, and that this body, which is heavily subsidized by the Bolshevist Government from the public revenues of Russia, has for its openly avowed aim the promotion of Bolshevist revolutions throughout the world. The leaders of the Bolsheviki have boasted that their promises of non-interference with other nations would in no wise bind the agents of this body. There is no room for reasonable doubt that such agents would receive the support and protection of any diplomatic agencies the Bolsheviki might have in other countries. Inevitably, therefore, the diplomatic service of the Bolshevist Government would become a channel for intrigues and the propaganda of revolt against the institutions and laws of countries, with which it was at peace, which would be an abuse of friendship to which enlightened governments cannot subject themselves.

In the view of this Government, there cannot be any common ground upon which it can stand with a Power whose conceptions of international relations are so entirely alien to its own, so utterly repugnant to its moral sense. There can be no mutual confidence or trust, no respect even, if pledges are to be given and agreements

made with a cynical repudiation of their obligations already in the mind of one of the parties. We cannot recognize, hold official relations with, or give friendly reception to the agents of a government which is determined and bound to conspire against our institutions; whose diplomats will be the agitators of dangerous revolt; whose spokesmen say that they sign agreements with no intention of keeping them.

To summarize the position of this Government, I would say, therefore, in response to your Excellency's inquiry, that it would regard with satisfaction a declaration by the Allied and Associated Powers, that the territorial integrity and true boundaries of Russia shall be respected. These boundaries should properly include the whole of the former Russian Empire, with the exception of Finland proper, ethnic Poland, and such territory as may by agreement form a part of the Armenian State. The aspirations of these nations for independence are legitimate. Each was forcibly annexed and their liberation from oppressive alien rule involves no aggressions against Russia's territorial rights, and has received the sanction of the public opinion of all free peoples. Such a declaration presupposes the withdrawal of all foreign troops from the territory embraced by these boundaries, and in the opinion of this Government should be accompanied by the announcement that no transgression by Poland, Finland or any other Power, of the line so drawn and proclaimed will be permitted.

Thus only can the Bolshevist regime be deprived of its false, but effective, appeal to Russian nationalism and compelled to meet the inevitable challenge of reason and self-respect which the Russian people, secure from invasion and territorial violation, are sure to address to a social philosophy that degrades them and a tyranny that oppresses them.

The policy herein outlined will command the support of this Government.

Accept [etc.] BAINBRIDGE COLBY

760c.61/162b: Telegram

The Secretary of State to the Ambassador in Great Britain (Davis)[16]

WASHINGTON, *August 10, 1920.*

Following American note delivered to Italian Embassy this afternoon and given to press for release morning papers August 11th.

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[16] A similar telegram was sent on the same date to the Chargé in Japan with instructions to "repeat textually to Peking and summarize to Vladivostok and Harbin" (file no. 760c.61/162a).

Repeat textually to Paris, Rome, Berlin, Prague and Warsaw. Send full summary to other European missions and to Helsingfors, Riga, Tiflis and Constantinople. Latter for transmission to McCully, Sevastopol. Instruct in all cases to give fullest possible publicity:

[Here follows text of note printed *supra*.]

COLBY

760c.61/428

The French Chargé (Béarn) to the Secretary of State

[Translation [17]]

WASHINGTON, *August 14, 1920.*

MR. SECRETARY OF STATE: The President of the Council and Minister of Foreign Affairs, having taken cognizance of the note relative to Russia addressed by His Excellency the Secretary of State to His Excellency the Ambassador of Italy, has charged me to inform Your Excellency that he states with satisfaction that the Government of the Republic is in entire agreement with the Federal Government as regards the principles formulated in this document. The Government of the Republic is of the same opinion as the Federal Government concerning the present rulers of Russia. As Your Excellency himself expressed it, they are not in power by the will or the consent of a considerable portion of the Russian people but represent a small minority of the nation. They have seized power by force and by trickery; during the two and a half years that they have retained power, meanwhile subjecting the country to savage oppression, they have not yet authorized popular elections; on the contrary, they have put obstacles in the way of the creation of a popular representative government based on universal suffrage. Events have proven that the present system of government in Russia is founded on the denial of every principle of honor and good faith and of all the usages and conventions which are the basis of relations between nations and individuals. The responsible heads of this régime have frequently and openly boasted of being ready to sign agreements and contracts with foreign powers without having the least intention of observing them. They claim that no contract or agreement concluded with non-Bolshevist governments can bind them morally. After having proclaimed this doctrine they have applied it. They have declared they would foment revolutionary movements in other countries by all possible means, in order to establish there a Bolshevist régime. Furthermore, they recognize that they are themselves subject to the control of a political faction

[17] File translation revised.

having international ramifications, and they have boasted that their promises of non-intervention in other countries would in no case be binding on the agents of this organization.

All these estimates of the American Government are absolutely true. In consequence, the Federal Government considers it impossible to recognize the present masters of Russia as a government with which the relations common to friendly governments can be maintained.

The Government of the Republic has reached the same conclusion. It cannot have official relations with a government which is resolved to conspire against its institutions; whose diplomats would be instigators of revolt; and whose orators proclaim that they will sign contracts with the intention not to observe them.

In complete accord with the Federal Government, the French Government believes in the necessity for an independent Polish State, and the French people, like the American people, ardently desires the maintenance of the political independence and the territorial integrity of Poland. This is why the French Government is in accord with the American Government to encourage all efforts made with a view to bringing about an armistice between Poland and Russia, while endeavoring to avoid creating the belief that the negotiations will result in the recognition of the Bolshevist régime and the dismemberment of Russia.

The Federal Government, as the interpreter of the feelings of the American people, desires to help the Russian people in whose future the United States retains an unshaken faith. The Government of the Republic associates itself unreservedly with this declaration. The French Government has never altered in its determination to uphold the principles so clearly formulated by the United States. It is in this spirit that it has decided to approve the armistice conditions offered to Poland only if they are in conformity with these principles.

It is in this spirit also that, after mature examination, it has in fact recognized a Russian Government which declares that it accepts the same principles.[18]

In informing Your Excellency of the reception which the declarations of the American Government have met with on the part of the French Government, I am instructed by M. Millerand to notify you that the French Government is happy to give this one further assurance of the close harmony of feeling which animates the French and American peoples when the future of civilization is at stake.

Accept [etc.] BÉARN

[18] See note of Aug. 12, 1920, from the French Chargé, p. 611.

861.01/240

Memorandum by the Third Assistant Secretary of State (Merle-Smith)

[Washington,] *August 18, 1920.*

Mr. Davis detailed orally to me his conference with the French Charge d'Affaires, August 18, 1920.

The French Charge d'Affaires asked whether there was any authority for the newspaper reports that this Government was dissatisfied with the French note regarding its position toward Russia.

Mr. Davis answered that we were satisfied with the note. We saw in it complete accord on the part of the French Government in the aims and principles stated by Mr. Colby; that such accord was most gratifying.

He stated that the only difference in the views was perhaps in regard to the method for reaching the aims desired. The Department was doubtful, on the information it had received regarding the success of Wrangel, as to the wisdom of his recognition, but that the Department had not sufficient information regarding the basis on which France had acted to pass judgment on such action by the French Government.

The Charge pointed out the danger of Germany playing with the Bolshevik and taking a part of Poland (the corridor).

Mr. Davis stated that our information from many angles had it that Germany would not join with the Bolshevik unless driven to take such a course from desperation; that it would perhaps be wise, therefore, for France at this juncture to make a public statement regarding her aims, *vis a vis* Germany, stating perhaps that there was no intention of taking any steps in regard to Germany other than to secure an enforcement of the treaty, and that France was prepared to adopt a liberal attitude regarding the terms of the treaty and to agree to a definitive and reasonable sum for reparation payments.

Van S. M[erle]-S[mith]

760c.61/282

The Russian Ambassador (Bakhmeteff) to the Secretary of State

Washington, *August 23, 1920.*

My Dear Mr. Secretary: I take pleasure in forwarding herewith copy of a cable which I have just received from Mr. Struve, Minister of Foreign Affairs of the Wrangel Government.

It is needless for me to express to you my gratification of the response which your note received in loyal Russia.

With best regards [etc.] B. Bakhmeteff

[Enclosure—Telegram]

The Minister of Foreign Affairs of the South Russian Government (Struve) to the Russian Ambassador (Bakhmeteff)

AUGUST 21, 1920.

The Commander-in-Chief and the Government of South Russia have learned with great satisfaction of the views of the Government of the United States relative to Russia as expressed in the note of the Secretary to the Italian Ambassador. The main principles of this declaration, viz; the repudiation of the Bolshevist regime and the endeavor to safeguard the territorial integrity of Russia, corresponds with the aspirations of the Russian Nationalist circles. These precepts are fully those which inspired the Government of South Russia and constitute its political program. Will you kindly communicate the above to the Secretary of State and express the most sincere gratitude of the Commander-in-Chief and the Government of South Russia for the valuable support which the United States is giving to the Russian national cause.

760c.61/365

The Czechoslovak Chargé (Masaryk) to the Secretary of State

WASHINGTON, *September 27, 1920.*

SIR: Referring to my audience with you on September 2, regarding the point of view which the Government of the Czechoslovak Republic has taken relative to the policy of the Government of the United States towards the Polish-Russian conflict, as outlined in your note addressed to the Italian Ambassador, Baron Camillo Romano Avezzana, I have the honor to advise you that the Minister of Foreign Affairs of the Czechoslovak Republic has charged me to inform you that the Government of the Czechoslovak Republic agrees with the principles as formulated in that document.

Since the conclusion of the armistice, the policy of the Czechoslovak Republic has been the upholding of peace in Czechoslovakia and Europe, a policy dictated by the profound desire to hasten consolidation and reconstruction so greatly needed, both to repair the damages caused by the great war and for the prompt and pacific solution of the internal, particularly the social problems of all European countries.

The Government of the Czechoslovak Republic shares fully the faith of the Government of the United States in Russia's future. The

old friendship between the people of Russia and the people of Czechoslovakia, culminating in Russia's active and substantial support of the just struggle of the Czechoslovak people for liberty and independence, has left in the hearts of our people an imperishable sense of gratitude, joined with the conviction that restored and reunited Russia will again resume her mighty position among the nations of the world.

The Government of the Czechoslovak Republic does not recognize the Soviet government, but in accordance with its views as hereinbefore stated, it is definitely opposed to any military intervention in Russia. For this reason, the Government of the Czechoslovak Republic has not recognized General Wrangel as a *de facto* government. The Government of the Czechoslovak Republic believes that Russia will eventually solve her own internal problems alone, and has therefore declared its strictest neutrality in every respect in all present conflicts involving Russia.

From the point of view of the necessity of economic regeneration of Europe, the Government of the Czechoslovak Republic, while maintaining its policy of peace and neutrality, considers it highly important to establish economic relations with Russia as soon as possible and hopes that out of the present situation there may arise the opportunity to realize its plan, which would lead to preparing a firm foundation for a really friendly policy towards the future Russia.

In the furtherance of this policy of peace and neutrality, the Government of the Czechoslovak Republic sincerely wishes friendly and frank neighborly relations with Poland, the importance of which for both countries is evident.

The Government of the Czechoslovak Republic considers that its controversies with Poland concerning boundaries are definitely settled, and hopes sincerely that the problems which arise out of the present Polish–Russian conflict will be solved and peace concluded on a basis which will preclude further conflicts between the two nations. The Government of the Czechoslovak Republic believes that its policy, as hereinbefore stated, is in accordance with the present pressing needs of central Europe, and that it will tend toward avoiding possible conflicts, not only directly involving Czechoslovakia, but also toward preventing severe international conflicts generally, and that this policy of peace is highly essential under present conditions for all nations of Europe, who are still suffering from the effects of the great war.

Accept [etc.] JAN G. MASARYK

760c.61/403

Mr. L. Martens to the Secretary of State

No. A–15 NEW YORK, *October 4, 1920.*
[Received October 5.]

SIR: I have the honor to transmit to you herewith copy of a statement which I am instructed by the People's Commissary for Foreign Affairs of my Government to address to the Ambassador of Italy in answer to your note on the Polish situation, dated August 10, 1920.

I am [etc.] L. MARTENS
Representative in the United States of the Russian Socialist Federal Soviet Republic

[Enclosure]

Mr. L. Martens to the Italian Ambassador (Avezzana)

No. A–15 NEW YORK, *October 4, 1920.*

EXCELLENCY: I am instructed by the People's Commissar for Foreign Affairs of my Government to transmit to you his despatch in reply to the note of the Secretary of State, Bainbridge Colby, addressed to you under date of August 10, 1920. The despatch of the Commissar for Foreign Affairs, George Chicherin, follows:

"Secretary of State Bainbridge Colby's note to the Italian Ambassador contains an attack upon Soviet Russia's policy and her political system. Soviet Russia cannot leave unheeded these false and malicious accusations of a character quite unusual in diplomacy, and desires to bring them before the bar of public opinion.

"The American Government bases its objections to the policy of the British and Italian Governments on the principle of the territorial integrity of the former Russian Empire and would enter into friendly relations and intercourse only with such a Russian Government as would not be a Soviet Government. The only exceptions made by Mr. Colby from the principle of the territorial inviolability of the former Russian Empire are Poland, Finland and Armenia. The demand for independence of those nations is considered by him as legal, inasmuch as they were annexed to Russia by force, wherefore their secession does not infringe Russia's territorial sovereignty. Mr. Colby imagines that the other oppressed nationalities of Tsarist Russia were not annexed by force and that the aspirations of the Georgian, Azerbeidjan, Lithuanian, Latvian, Esthonian and Ukrainian peoples for independence in the form of either secession or state sovereignty and federation with Russia are illegal. The discrimination on the part of the American Government in favor of some of these nationalities as against the others is unintelligible, being probably due to lack of information concerning national conditions in

Eastern Europe. The condition precedent for Mr. Colby's friendship towards Russia is that her Government should not be a Soviet Government. As a matter of fact any other Government at present would be a *bourgeois* or capitalist government, which in view of the present economic unity of the world, would mean a government identified with the interests of the world's dominating financial groups. The most powerful among the latter, as a consequence of the world war, are the North American financial groups. The condition upon which Mr. Colby would extend American friendship to Russia is therefore that her regime should be such as to permit of the domination of the American financial groups in Russia. Mr. Colby displays in his note a strong friendly feeling towards the Russia Government of 1917, i.e. towards that Russian Government which coerced Russia's working masses to bleed in the world war on the side of the allied and associated powers, which was fought for the interests of financial capital; of that Russian Government which under the cloak of a pretended democratic regime supported the domination of the *bourgeoisie* in Russia, i.e. of the capitalist system, and in the last resort the domination of the world's leading financial interests over Russia. As far back as 1905, when the weakness of Tsarist Russia and her dependence on the western financial interests for the first time became clear, Maximilian Harden wrote that Russia was in fact a colonial land which must be governed in a business-like manner by commercial agents and clerks of business firms. This idea, so cynically avowed by Harden, in reality underlay all those plans which were elaborated by the Entente during the period of the intervention against Russia's Soviet system, and likewise explains the hostility towards Soviet Russia of the interests Mr. Colby speaks for. At the same time it must be noted that Mr. Colby, in his desire to maintain the integrity of the Tsarist territory, not merely dissents from Britain's policy, but is actually engaged in a struggle against her policy. Obviously the groups he represents perceive that other, viz., British, interests have established themselves in the new states separated from Russia, and Mr. Colby sees no other way of combating those interests than to abolish the independence of these states. Quite different from this policy of maintaining the integrity of the Tsarist territory with the object of establishing on this territory the domination of foreign financial interests and quite different on the other hand from the more successful policy of establishing the domination of those interests in the new *bourgeois* border states, quite different from both is Soviet Russia's policy,—the policy of complete abolition of the exploitation of the workers by the former owners of the means of production, which is the basis of the Soviet system. The Soviet Government unwaveringly upholds the right of national self-determination of the working people of every nationality, including the right of secession and of forming separate states. This is the cornerstone on which it wishes to establish friendly relations with the new border states. This system, represented by the Soviet Government, under which the working masses govern themselves and determine their own fate is the only present day challenge to the domination of the exploiting interests of the leading groups of world's capital, foremost of all the American groups;

this is why Mr. Colby displays such an implacable hostility to the Soviet regime and hurls his false charges at it, which are the exact opposite of actual facts. Mr. Colby asserts that the Soviet system is based, not upon the representation of the popular masses, but upon brutal force, notwithstanding the fact that this system is at present the only one under which the working masses are free from exploitation by the privileged few and from the domination of the exploiting financial capital, a domination really based on brutal force. The latter dominates in all countries where the parliamentary regime is in force, and yet this regime is held by Mr. Colby to be the only one deserving recognition. The substance of the parliamentary regime is that the working masses being in an unorganized condition are under the absolute domination of strongly organized political parties which are completely subservient to the leading financial groups. This organization has its ramifications throughout the country, which are connected with innumerable local interests; it subjugates the minds of the masses through a subservient press, through inspired literature, through the pulpit, etc. Under the so-called democracy the semblance of freedom of the press, of freedom of assemblage, and of association, and of free speech is in reality a *mise en scène* of the domination of the leading financial groups acting through a venal press, venal politicians, tribunals, writers, clergymen, etc. The Soviet system alone is a permanent organization of the working masses under which the real sovereignty and the executive power in every locality are vested in the local Soviet, this permanent organization of the working masses on the spot. The structure of the Soviet regime invests the working masses with such power and draws them to such an extent into the workaday functions of government that the mere suggestion of the central power being able, under the Soviet system, to rule against the will of the masses, is sheer absurdity. It is the masses themselves, who, in this fight for liberty, amidst a sanguinary civil war which threatens all their conquests, have come to realize the necessity of a firm centralized revolutionary power for crushing the last resistance of the exploiting classes at home and for carrying on the unprecedented struggle against the capitalist governments of the whole world, which stand united against the Revolution whenever the working masses attain power in a particular country. At the time when all the capitalist governments of the world are united against the workers' and peasants' rule in Russia in an attempt to crush her resistance by the force of arms, by the hunger blockade, by fostering perennial conspiracies of the exploiting classes against the working masses in power,—at this time the working masses have become fully conscious of the fact that only a relentless proletarian dictatorship can defend their revolutionary conquests against the attacks of capital and of all its agents from within and from without. The Communist Party, which directs this implacable struggle against the exploiters of the whole world, rules in Soviet Russia for the only reason that the masses themselves consider its rule as the only effective means of successful warfare against the deadly danger threatening them from world capital.

"But the Communist Party arouses Mr. Colby's ire also for another reason, viz., because the Communist Party is at the head of

the revolutionary movement of the working masses in all countries, and also in the United States. Its world-wide struggle is rooted in the actual conditions of all countries, but Mr. Colby attempts to account for it by alleged propaganda of Russian Soviet agents. It is not for the first time that we witness attempts on the part of American financial groups to discredit Soviet Russia by calumnies. We have not forgotten the publication by the United States Public Information Division of the absurd Sisson documents charging the Bolsheviks with being German agents.[18] The forgery was so crude that the least examination was sufficient to disclose that fraud. Owing to the subserviency of the press to the financial interests, which is almost complete in the parliamentary countries, calumny against Soviet Russia is one of the principal means of combating the movement of the working masses in every country including the United States. Mr. Colby, too, in his note to the Italian Ambassador, has resorted to coarse slander against Soviet Russia. We most emphatically protest against his false allegation that the Soviet Government violates its promises and concludes agreements with a mental reservation to transgress them. Not one single fact can be quoted in support of this calumny. Even the Brest-Litovsk Treaty which was imposed upon Russia by violence was faithfully observed by the Soviet Government. Whenever it was accused of violating its diplomatic obligations, a frame-up by enemies of the Russian Soviet Government was shown to be at the bottom of the charges. If the Russian Government binds itself to abstain from spreading Communist literature, all its representatives abroad are enjoined scrupulously to observe this pledge. The Soviet Government clearly understands that the revolutionary movement of the working masses in every country is their own affair. It holds to the principle that communism cannot be imposed by force but that the fight for communism in every country must be carried on by its working masses themselves. Seeing that in America and in many other countries the workers have not conquered the powers of government and are not even convinced of the necessity of their conquest, the Russian Soviet Government deems it necessary to establish and faithfully to maintain peaceable and friendly relations with the existing governments of those countries. That the elementary economic needs of the peoples of Russia and of other countries demand normal relations and an exchange of goods between them, is quite clear to the Russian Government, and the first condition of such relations is mutual good faith and non-intervention on both parts. Mr. Colby is profoundly mistaken when he thinks that normal relations between Russia and the United States of America are possible only if capitalism prevails in Russia. On the contrary we deem it necessary in the interests of both nations and despite the differences of their political and social structure, to establish proper, peaceful and friendly relations between them. The Russian Soviet Government is convinced that not only the working masses, but likewise the farsighted business men of the United States of America will repudiate the policy which is expressed in Mr. Colby's note and is

[18] See *Foreign Relations*, 1918, Russia, vol. I, pp. 371 ff.

harmful to American interests and that in the near future normal relations will be established between Russia and the United States.

(Signed) Chicherin."

Accept [etc.]

L. C. MARTENS
Representative in the United States of the Russian Socialist Federal Soviet Republic

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701.6111/505

The Attorney General (Palmer) to the Secretary of State

WASHINGTON, *November 29, 1920.*

MY DEAR MR. SECRETARY: In connection with the proceedings now pending before the Secretary of Labor looking to the deportation of Ludwig C. A. K. Martens, your attention is respectfully invited to the closing proviso of Section 3 of the Immigration Act of February 5, 1917, reading as follows:

"That nothing in this Act shall be construed to apply to accredited officials of foreign governments, . . ."

The question of the status of the alien in this case is one which might arise in the course of an oral argument which is to be heard before the Secretary of Labor on December 7th, and in anticipation of such a situation, I would appreciate it if I might obtain from you an expression of your opinion upon the meaning of the words above quoted, and their applicability to the status of Mr. Martens. It might be pointed out that Mr. Martens does not claim the diplomatic immunity, referred to in your letter to me of April 8, 1920,[19] but bases his claim upon the Act of February 5, 1917.

An early expression of your views in the premises will be greatly appreciated.

Faithfully yours,

A. MITCHELL PALMER

701.6111/505

The Secretary of State to the Attorney General (Palmer)

WASHINGTON, *November 30, 1920.*

SIR: I have the honor to acknowledge the receipt of your letter of November 29, 1920, in which, in connection with the proceedings

[19] *Ante*, p. 457.

now pending before the Secretary of Labor looking to the deportation of Ludwig C. A. K. Martens, you invite attention to Section 3 of the Immigration Act of February 5, 1917, providing

"That nothing in this Act shall be construed to apply to accredited officials of foreign governments, . . ."

and request an expression of my opinion upon the meaning of the words quoted and their applicability to the status of Mr. Martens. You state that Mr. Martens does not claim the diplomatic immunity referred to in this Department's letter to you of April 8 last, but bases his claim upon the Act of February 5, 1917.

I am of the opinion that the term "accredited officials of foreign governments" was meant to refer to those officials of foreign governments who have come to the United States as representatives of their governments, as, for example, diplomatic officers.

Before there can be an accredited officer of a foreign government, however, it must be admitted that the government which the person purports to represent actually exists, and that the officer is in fact accredited by such existing government. The question of whether the so-called Russian Socialist Federal Soviet Republic should be considered by the United States as an existing government is entirely within the discretion of this Government. The underlying principles in such a case were enunciated by Chief Justice Marshall in the case of *Rose* v. *Hymely* (4 Cranch 239 [*241*]) referred to in the memorandum enclosed with this Department's letter to you of April 8, 1920.

This Government has not recognized the Bolshevist regime at Moscow as an existing government, and has on more than one occasion publicly announced that Mr. Martens had not been received or recognized as "the representative of the Government of Russia or of any other government".

I am, therefore, of the opinion that the above quoted provision of the Immigration Act of February 5, 1917, has no application to the case of Mr. Martens. As of interest in this relation I may refer to the case of *Hollander* v. *Baiz*, *Consul General*, 41 Fed. 735, and to the opinion of the Supreme Court of the United States (135 U.S. page 403), sustaining the ruling of the District Court in the case just mentioned.

I have [etc.]

For the Secretary of State:
NORMAN H. DAVIS

701.6111/509a : Telegram

The Acting Secretary of State to the Ambassador in Great Britain (Davis)

[Paraphrase]

WASHINGTON, *December 16, 1920—6 p.m.*

1232. Order was signed today for deportation of Martens.[20] It will be made public tomorrow.

DAVIS

760c.61/438

The Minister in Switzerland (Gary) to the Acting Secretary of State

No. 422 BERNE, *December 22, 1920.*

[Received January 6, 1921.]

SIR: I have the honor to inform the Department that Mr. Jean Efremoff, Russian Minister in Switzerland, made extensive use recently in Geneva of the Note that Secretary Colby wrote to the Italian Ambassador in Washington last August, citing it to the delegations of the different countries assembled in Geneva for the sittings of the League of Nations as an expression of the principle which should be adopted by the Assembly in considering the applications submitted by the States bordering on Russia for admission to the League.

Mr. Efremoff in a recent letter to me states that in calling the attention of the delegations to the Note of Secretary Colby he informed them that in his opinion it was impossible to set forth in a clearer and more precise manner the rights and real interests of the Russian Nation, and he believes that the resolution of the Assembly of the League refusing to grant admission to the border states which were asking for a ratification of their separation from Russia was decisively influenced by the sound and powerful arguments of the American Note. He said he would like to express his gratitude and that of all patriotic Russians for the enduring service which this American Note has rendered in preventing the dismemberment of Russia.

I have [etc.] HAMPSON GARY

[For information issued by the Department in support of its policy, see *Memorandum on Certain Aspects of the Bolshevist Move-*

[20] Ludwig C. A. K. Martens left the United States Jan. 22, 1921.

ment in Russia (Washington, Government Printing Office, 1919); *The 2nd Congress of the Communist International as Reported and Interpreted by the Official Newspapers of Soviet Russia, Petrograd—Moscow, July 19–August 7, 1920* (Washington, Government Printing Office, 1920); and *Memorandum on the Bolshevist or Communist Party in Russia and its Relations to the Third or Communist International and to the Russian Soviets* (Washington, Government Printing Office, 1920).]

WITHDRAWAL OF THE AMERICAN FORCES FROM SIBERIA

Exchange of Views between the Japanese and American Governments in Consideration of the Altered Situation in Siberia—Proposal by Japan to Cooperate with the United States in Maintaining the Military "status quo" by Reinforcements against the Advance of the Bolshevik Forces—Formal Notification by the Secretary of State, January 9, 1920, to the Japanese Ambassador that the American Forces Would be Withdrawn

861.00/5741 : Telegram

The Secretary of State to the Ambassador in Great Britain (Davis)[21]

WASHINGTON, *November 28, 1919—4 p.m.*

6222. American representatives in Eastern Siberia have recently reported conversations with Japanese representatives which may be summed up as follows:

"Japanese troops cannot guard the railway under existing conditions. Something must be done to get the confidence of the masses. This might be accomplished by means of a parliament of the self-governing bodies in Siberia. America and Japan should quickly formulate a plan of economic relief else there will be great suffering this winter. It will be impossible to succeed with Kolchak as his name is discredited."

These conversations were reported at length to Ambassador Morris at Tokio and I telegraphed him November 19th in part as follows:

" . . . It is highly desirable that Kolchak remain as the head of any Siberian government. His presence will give continuity to our policy and maintain the force and validity of the democratic assurances given by him in the notes exchanged with the heads of the principal Allied and Associated Governments last May. I still have confidence in his personal integrity and disinterested patriotism. He is favorably disposed toward the United States. He has, however, yielded to what may have been an unfortunate necessity of accepting the cooperation and support of corrupt and unenlightened reactionaries and his present failure is to be attributed largely, I believe, to their presence in his government. There is, of course, on our part the readiest response to the Japanese suggestion that the future government of Siberia include the Zemstvos and other organs of local self-

[21] See last paragraph for instructions to repeat to Paris.

government and be made to rest upon the consent of the masses of the people. Popular contentment is obviously a condition precedent to the development of a capable government and the continuance of the railway operation plan and other economic assistance in which Japan and the United States are cooperating.

With the foregoing considerations in mind I desire you to discuss informally with the Japanese authorities the grave situation which has arisen in Siberia and to make it clear to them that the United States would welcome a solution by which Kolchak would remain at the head of the Siberian government but would have associated with him elements truly representative of the people instead of the reactionaries whose presence has stultified his efforts up to the present. It is not the purpose of this Government to depart in any way from its principle of non-interference in the internal affairs of Russia. It desires above all that the Russians should be allowed to work out their own political destiny in their own way. If it does not appear that it would be acceptable to the Siberian people to have Admiral Kolchak continue at the head of their government, this Government desires that none of its agents should do anything to defeat that will. It is desired only that Japan should know that in view of the relations which have existed in the past between Kolchak and the Allied and Associated Governments and in the interest of securing as orderly a succession of government as possible, it would welcome a solution of the present difficulties through a reorganization of the Kolchak government along democratic lines rather than a complete break with the past, . . .

The suggestion that Japan is prepared to cooperate with the United States for the economic relief of the people of Siberia is very gratifying and any official suggestion of this kind which may be made should meet with encouragement on your part. For your entirely confidential information I may inform you that I shall shortly recommend to the President that he in turn recommend to Congress, possibly in a special message, first, the continuance of American participation in the Inter-Allied Railway plan, second, the organization of a so-called Russian Bureau, Incorporated, having a capital fund of one hundred million dollars and an emergency fund of twenty-five million, the functions of which would be first, to extend emergency relief in appropriate cases, and, second, to revive normal economic life by financing shipments of manufactured necessities to Russia against exports of raw materials."

Morris telegraphs November 24 that on the preceding day Viscount Uchida [22] sought an interview with him on the Siberian situation: . . .

"He told me that the Cabinet had recently discussed the critical conditions in Siberia but had reached no conclusion pending a personal and informal exchange of views between us. He explained that the Ministry faced the necessity of formulating a definite Siberian policy and in particular, referred to Viscount Kato's [23]

[22] Viscount Yasuya Uchida, Japanese Minister for Foreign Affairs.

[23] Viscount Takaaki Kato, leader of the Kenseikai Party; representative of Japan near Admiral Kolchak.

recent criticism and the determination which Kato made for the withdrawal from Siberia of a substantial portion of the Japanese troops. I asked him if Kato's statement was not made for political reasons. He thought not, as Kato had then weighed his words carefully because, as a responsible party leader, he might at any time be called upon to form a Ministry. He then gave me a detailed description of military conditions in Siberia as reported to the Cabinet by the general staff which indicated that there were some twenty thousand Bolsheviks organized in bands operating between Omsk and Irmen [*Irkutsk?*]; and that there were some seventeen thousand east of Baikal, chiefly along the Amur Railway. He then stated that the retirement of Kolchak to Irkutsk had greatly heartened all Bolshevik elements east of Omsk and that Japan could not view the continued eastward advance of the Bolsheviks without concern. If the Red Army should reach the Baikal and come in contact with Japanese troops it would be serious; if, on the other hand Japan should withdraw it would mean the surrender of Eastern Siberia to Bolshevism and would create at once a serious menace to Korea, Manchuria, and indirectly to Japan itself. He then outlined the three possible plans of action: First, entire withdrawal which seems to him impossible; second, the sending of reenforcements at once in such quantities as effectively to crush Bolshevism now; third, the maintenance of the *status quo* while awaiting developments, only sending such reenforcements as future commercial pursuits might imperatively require.

After repeating that I was expressing simply my personal view I stated that in the first place I thought we should avoid all participation in local intrigues and continue earnestly to support Kolchak. I told him that I had reason to believe that my Government fully shared this view. In the second place, I was personally convinced that Japan and the United States should maintain their present force to protect and continue railway operations, and that I had no reason to believe that the United States contemplated the withdrawal of its troops. Finally, I emphasized my personal conviction that some comprehensive plan of economic relief must be undertaken by our two Governments, acting in the closest cooperation. Without such relief I was certain that the population would become increasingly restless and antagonistic, and that there would be no limit to the number of additional troops required.

I expressed appreciation of Japan's natural fear of the spread of Bolshevism in Eastern Siberia and the dangerous propaganda which might follow among the masses of China, Korea and possibly to a limited degree in Japan.

Viscount Uchida expressed satisfaction that our personal views were so fully in accord, and stated that he intended to discuss the subject further in a Cabinet meeting. If the Cabinet approved he proposed to instruct Ambassador Shidehara to discuss the entire subject with you in the hope that our Governments might be able to agree on a united policy. He suggested that it might be wise for our two Governments to inquire of Great Britain and France what effect their present policy toward Russia would have on the situation in Siberia."

Please take an early opportunity of discussing the Siberian situation with the Foreign Office and let me know the probable future course of the British Government with respect to that region.

Repeat to Ambassador at Paris from whom I should like to have a similar report relating to the attitude of the French Government.

LANSING

861.00/5811 : Telegram

The Ambassador in Great Britain (Davis) to the Secretary of State

LONDON, *December 3, 1919—4 p.m.*

[Received 4:56 p.m.]

3486. Your 6222, November 28, 4 p.m. Have discussed with Lord Curzon as directed the Siberian situation. There is no change at present in British policy in that region and their representatives have been instructed to countenance no movement intended to overthrow or displace Admiral Kolchak, nevertheless he believes that Kolchak has failed and will ultimately fall. Notwithstanding Prime Minister's speech no new policy has been decided on as to Russia. Prime Minister's utterance was made without previous knowledge of Curzon and international conference suggested in the Guildhall speech was not intended as preface to another Prinkipo proposal nor the calling of a special inter-Allied conference. What the Prime Minister had in mind was the coming together at the Turkish Conference when a consultation might be had on the Russian situation. Savinkoff [26] now in London is urging on Foreign Office recognition of chain independent states from Esthonia to the Caucasus and creating of an anti-Bolshevist alliance between them. Curzon speaks of this as policy worth consideration but not ripe for decision. Speaking of a second Prinkipo Curzon states that it would not be acceptable to public opinion in England, would be bitterly opposed in France, and he presumed America's attitude towards it would be doubtful. I told him in my judgment that present industrial unrest in America had increased the feeling against the Bolsheviks. Notwithstanding the above the Prime Minister himself tells me that in order to bring peace in Russia he is not averse to treating with the Bolshevik Government and is utterly opposed to further military ventures. He favors encouraging the ultimate division of Russia into a number of independent states leaving none of sufficient size to threaten the genuine [*general?*] peace.

DAVIS

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[26] B. V. Savinkov, Assistant Minister of War in the Russian Provisional Government.

861.00/5995 : Telegram

The Ambassador in Japan (Morris) to the Secretary of State

TOKYO, *December 27, 1919—10 a.m.*
[Received December 27—9:50 a.m.]

Telegrams from Irkutsk dated December 24th and 25th sent to the Japanese General Staff state that the 53rd regiment of the Siberian army which was guarding the railway station at Irkutsk has mutinied and taken control of the station and the railway yards abroad [*sic*] Harris and other Allied representatives are living in trains. In addition local Bolshevik bands are reported to be marching on Irkutsk from both north and south and are now within 30 kilometres of the city. The Japanese General Staff is also advised that Kolchak has reached Irkutsk but that he is without any reliable troops and that a condition of serious unrest prevails throughout the entire district. General Oi has sent from the Baikal region approximately a thousand men, infantry, artillery and cavalry, to insure the protection of the Baikal tunnels. The Japanese General Staff is still eager to send at least two battalions of infantry to Irkutsk to keep order there and if necessary to protect the evacuation of the foreign representatives and agencies, but hesitates to act without our concurrence and support. Under date of December 21, Harris telegraphed that American Red Cross trains had passed Taiga and were expected in Irkutsk in the near future but he makes no mention of any disturbance at Irkutsk. I have had no word from the Foreign Office in regard to these recent developments but the military attaché tells me that General Tanaka [27] and the officers of the General Staff appear greatly concerned and have urged him to impress upon me the necessity of sending to Irkutsk both American and Japanese troops at the earliest moment possible. I understand that Ambassador Shidehara is making further representations to you.

MORRIS

861.00/6064 : Telegram

The Ambassador in Great Britain (Davis) to the Secretary of State

LONDON, *January 5, 1920—6 p.m.*
[Received 6:22 p.m.]

21. The following telegram has been received from Paris January 4, noon.

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[27] Giichi Tanaka, Japanese Minister of War.

["]Have just received Foreign Office note relative to French policy in Siberia, repeat to Secretary of State, translation of text as follows:

'Paris, December 31. The Ministry for Foreign Affairs has read with interest the memorandum which has been communicated to it and in which is set forth the point of view of the Federal Government regarding the Siberian situation and the conversations which have taken place between the representatives of the United States and Japan.[28] The Department is of the same opinion as Mr. Lansing that the present unsteadiness of Admiral Kolchak is due partly to the presence in his Government of ill intention[ed] reactionary factors to whom he has had to give way and whom he was perhaps powerless to eliminate in view of the democratic declarations he addressed, last May, to the Allied and Associated Powers. It would indeed seem very desirable that Admiral Kolchak be maintained at the head of a Siberian government: indeed the constant policy of the French Government in its action in Siberia has ever been to support, as much as possible, the authority of the Admiral by giving him moral and material marks of confidence.

Unhappily, the recent news from Siberia shows that the personal status of the Supreme Governor is nearly absolutely ruined which will not prevent the French Government from carefully abstaining from any action liable to place him in a still graver position. The French Government is glad to learn, however, that direct conversations have taken place between the Federal Government and Japan relative to the situation in Siberia. An agreement between these two countries, both as regards economic questions and concerted action in Eastern Russia, would indeed be the only means of avoiding the disintegration of social order in those regions.

As to the American and Japanese troops, which are now protecting the Trans-Siberian Railroad, the French Government expresses the hope that they may be maintained. It would, in fact, be most expedient to consider increasing their number. The latter solution, added to an economic action undertaken by the two countries, would afford the means, while there is yet time, of stemming the progress of Bolshevism in Siberia. The unrest which now exists in Eastern Russia strengthen[s] the French Government in its opinion that, as the Federal Government itself has pointed out, it is advisable to avoid, in so far as may be consistent with the safety of the foreign troops, any interference in the internal affairs of that region. The Russian people must be left entirely free to work out themselves their political destinies and in presence of such a confused situation the French agents in Siberia have shown so far that they fully realize the necessity of not intervening between the different parties.'

Davis [*Wallace*]."

WALLACE [*Davis*]

861.00/6090 : Telegram

The Ambassador in Japan (Morris) to the Secretary of State

TOKYO, *January 7, 1920—4 p.m.*

[Received January 7—1:37 p.m.]

4. Supplementing my December 27, 10 a.m. For two weeks Government officials have been awaiting impatiently the outcome of Ambassador Shidehara's conversations with you on the Russian situation. The delay appears to have embarrassed the Foreign Office in formulating a Siberian policy and in resisting the pressure of the military authorities who are more eager than ever to send reenforcements promptly. The first Cabinet meeting of the new year was held

[28] See footnote 21, p. 481.

on the 6th and was devoted almost entirely to a discussion of the Siberian problem. General Tanaka again urged immediate independent action; but the more conservative view prevailed and the meeting adjourned without reaching any decision.

Newspapers this morning carry a semiofficial report to the effect that the Government has received a communication from Shidehara stating that although Secretary Lansing is favorably inclined toward the proposed despatch by Japan of reenforcements to Siberia, the time is not opportune for the resumption of negotiations with the American Government.

. . . . . .

The Cabinet meets again tomorrow and it is probable that the military will again urge immediate action. For some reason the General Staff seems very anxious about the safety of the Japanese troops now in Siberia. Their reports however coincide in all essential particulars with the reports, repeated to me here, which Stevens, Harris, Smith and Macgowan are sending to you. Latest reports indicate that Kolchak has not succeeded in reaching Irkutsk; that the Czechs have taken over the railway station there; that all the foreign representatives have moved east, Harris going to Verkhneudinsk and Ambassador Kato to Chita; that Japanese troops are guarding the Baikal tunnels; and that Semenoff is endeavoring with only moderate success to exercise authority over the eastern provinces. The Red army is resting near Taiga although reports indicate that no organized body of troops is now opposing its further advance.

MORRIS

861.00/6109

The Secretary of State to the Japanese Ambassador (Shidehara)

The Secretary of State presents his compliments to His Excellency, the Japanese Ambassador, and has the honor to transmit to him herewith a memorandum representing the situation in Siberia.

WASHINGTON, *January 9, 1920.*

[Enclosure]

MEMORANDUM

The Government of the United States has given the most careful consideration to the subject matter of the communication from the Japanese Government which was read to the Secretary of State by the Japanese Ambassador on the 8th day of December,[29] and

[29] Not printed.

which concerns the recent unfavorable developments of the military situation with which Admiral Kolchak's forces have been confronted, and which proposes three alternative courses for the Allied and Associated Powers to take.

The Government of the United States agrees that for it to send a reinforcement of sufficient strength and to act on the offensive in cooperation with anti-Bolshevik forces is impracticable.

The Government of the United States believes that for it to continue to participate in guarding the districts now under Allied military protection is also under present conditions impracticable, for the reason that an agreement to send reinforcements to such extent as may be required, with a view to maintain the *status quo*, might involve the Government of the United States in an undertaking of such indefinite character as to be inadvisable. The amount of reinforcement which might become necessary for the execution of such an agreement might be so great that the Government of the United States would not feel justified in carrying it out.

Consideration has been given, therefore, to the alternative presented by the Government of Japan of entire or partial withdrawal. It will be recalled that the purposes of the expedition as originally conceived by the United States and expressed in an Aide Memoire handed to the Japanese Ambassador at Washington, July 17, 1918,[29] were, first, to help the Czecho-Slovak troops, which had, during their retirement along the Siberian railway, been attacked by the Bolsheviki and enemy prisoners of war in Siberia, to consolidate their forces and effect their repatriation by way of Vladivostok;[30] and, second, to steady any efforts at self-government or self-defense in which the Russians themselves might be willing to accept assistance.

Not only are the Czecho-Slovak troops now successfully advancing into Eastern Siberia, but an agreement has been effected between the Governments of Great Britain and the United States providing for their repatriation from Vladivostok. American vessels will begin to arrive at that port by February tenth and a contingent of more than 10,000 Czecho-Slovak troops can be immediately embarked. It is expected that evacuation will proceed rapidly thereafter and from that date the first purpose for which American soldiers were sent to Siberia may be regarded as accomplished.

With respect to the second purpose, namely, the steadying of efforts at self-government or self-defense on the part of the Russians, the Government of the United States is impressed with the political instability and grave uncertainties of the present situation in Eastern

[29] *Foreign Relations*, 1918, Russia, vol. II, p. 287.

[30] For papers dealing with the evacuation of the Czechoslovak forces, see pp. 561 ff.

Siberia, as described in the Aide Memoire presented by the Japanese Ambassador, December 8, and is disposed to the view that further military effort to assist the Russians in the struggle toward self-government may, in the present situation, lead to complications which would have exactly the opposite effect, prolonging possibly the period of readjustment and involving Japan and the United States in ineffective and needless sacrifices. It is felt accordingly to be unlikely that the second purpose for which American troops were sent to Siberia will be longer served by their presence there.

In view then of the fact that the main purposes for which American troops were sent to Siberia are now at an end, and of the considerations set forth in the communication of the Japanese Government of December 8, which subsequent events in Eastern Siberia have strengthened, the Government of the United States has decided to begin at once arrangements for the concentration of the American forces at Vladivostok, with a view to their embarkation and departure immediately after the leaving of the first important contingent of Czecho-Slovak troops, that is to say, about February tenth.

Careful consideration has also been given to the possibility of continuing, after the departure of the American troops, the assistance of American railway experts in the operation of the Trans-Siberian and Chinese Eastern Railways. It will be recalled that it is expressly stipulated in the plan for the supervision of these railways which was submitted by the Japanese Ambassador at Washington, January 15, 1919,[31] that the arrangement should cease upon the withdrawal of the foreign military forces from Siberia and that all foreign railway experts appointed under the arrangement should then be recalled forthwith. The experience of recent months in the operation of the railways under conditions of unstable civil authority and frequent local military interference furnishes a strong reason for abiding by the terms of the original agreement. Arrangements will be made accordingly for the withdrawal of the American railway experts under the same conditions and simultaneously with the departure of the American military forces.

The Government of the United States desires the Japanese Government to know that it regrets the necessity for this decision, because it seems to mark the end, for the time being at least, of a cooperative effort by Japan and the United States to assist the Russian people, which had of late begun to bear important results and seemed to give promise for the future. The Government of the United States is most appreciative of the friendly spirit which has

[31] Not printed.

animated the Government of Japan in this undertaking and is convinced that the basis of understanding which has been established will serve in the future to facilitate the common efforts of the two countries to deal with the problems which confront them in Siberia. The Government of the United States does not in the least relinquish the deep interest which it feels in the political and economic fate of the people of Siberia nor its purpose to cooperate with Japan in the most frank and friendly way in all practical plans which may be worked out for the political and economic rehabilitation of that region.

It is suggested that the Government of Japan may desire to communicate to the other principal Allied and Associated Governments the substance of the Aide Memoire of December 8. This Government will likewise make known to them the substance of the present communication.

WASHINGTON, *January 9, 1920.*

861.00/6095 : Telegram

The Ambassador in Japan (Morris) to the Secretary of State

TOKYO, *January 9, 1920—noon.*
[Received January 9—4 a.m.]

6. The War Minister has just advised the Embassy that this morning he received a telegram from General Oi, Japanese commander at Vladivostok, stating that General Graves had been instructed by the consul to withdraw all American troops from Siberia. In the absence of any information from the Department, I assume that this repetition of the message is untrue, but would appreciate definite advices.

MORRIS

861.00/6109 : Telegram

The Secretary of State to the Ambassador in Japan (Morris)[32]

WASHINGTON, *January 9, 1920—4 p.m.*

7. Repeat following to Legation Peking, to Harris and to Consul Vladivostok to be given by him to Smith, Stevens, and Graves. It will be released to press at Washington Tuesday January 13th.[33]

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[32] The same, except the first sentence, to the Ambassador in Great Britain as no. 19, with instructions to "Communicate following to Foreign Office and repeat to Paris, Rome and Prague for similar action."

[33] The memorandum was released to the press Jan. 16.

"On December 8, 1919, the Japanese Ambassador at Washington, pursuant to instructions from his Government, invited the attention of the Secretary of State [34] to the recent unfavorable development of the situation in Siberia, and inquired whether the United States proposed to maintain the *status quo*, or to proceed to entire or partial withdrawal of its troops, or whether it was ready to send reenforcements in case of need.

" The Secretary of State has today communicated to the Japanese Ambassador the decision of the Government of the United States in the following memorandum:

[Here follows memorandum printed on page 487.]

LANSING

861.00/6111 : Telegram

The Ambassador in Japan (Morris) to the Secretary of State

TOKYO, *January 9, 1920—11 p.m.*
[Received January 10—1:47 p.m.]

9. Supplementing my January 9, noon. I conferred with the Minister for Foreign Affairs at his request this afternoon. He read to me the telegram received from General Oi which stated that on January 8th General Graves had written an official letter to General Oi advising him that he had been instructed to withdraw all American troops from the sections of the railway which they were now guarding. General Graves further stated that he proposed to begin the withdrawal from the Pascoe [*Spasskoe?*] district on January 9th and would continue the other withdrawals as promptly as possible.

The Minister for Foreign Affairs further informed me that in conversation with General Inagaki of the Japanese staff in Siberia, General Graves had explained that he had received orders on December 31st to prepare for withdrawal but had been instructed to keep these orders secret; that the final decision to withdraw had been reached in Washington on January 5th; that it was to be published in Washington on January 7th; and that he was authorized to make it public in Vladivostok on January 8th. General Graves finally stated that transports were already on the way from Manila to Vladivostok and were expected to arrive on January 11th, 13th and 23rd. In view of transportation difficulties he doubted whether he could evacuate the troops at Verkhneudinsk before the middle of February.

The Minister for Foreign Affairs asked me whether I was in a position to affirm or deny the truth of this information. I told him that I was not and that I had received no intimation from my

[34] Memorandum not printed.

Government as to such proposed action nor had I heard anything from General Graves. He said he was utterly unable to account for such sudden action particularly at a time when the Japanese Government was discussing with our Government through Shidehara in a spirit of complete frankness the question of policy in Siberia. He further stated that as he understood it Shidehara had conference with Secretary Lansing on the subject of Siberia on two occasions but that no suggestion even had been made as to immediate withdrawal of American troops. The Minister for Foreign Affairs appeared greatly disturbed and explained that this action would place his Government in an extremely difficult position. He stated finally that apparently Shidehara ignorant of our Government's decision to withdraw or he would have advised his Government by this time. I made no further comment except to assure that I would inform him as soon as I received any advices from my Government.

MORRIS

861.00/6095 : Telegram

The Secretary of State to the Ambassador in Japan (Morris)

WASHINGTON, *January 10, 1920—3 p.m.*

10. Your 6, January 9, noon. See Department's January 9, 4 p.m. No announcement previous to this authorized or made so far as the Department is aware. Consul had of course no information from this Department which was not furnished to you.

LANSING

861.00/6113 : Telegram

The Ambassador in Japan (Morris) to the Secretary of State

TOKYO, *January 11, 1920—midnight.*

[Received January 12—3:35 a.m.]

12. I have just received from General Graves, in answer to an inquiry from me, the following telegram:

"Orders received from the War Department on January 7 to move all troops to (Manila?) as fast as transports are available. Troops are now being concentrated at Vladivostok and transports are *en route*. The first contingent leaves January 12 and the second January 14. I presumed that you had been notified by the State Department of this."

If General Graves has interpreted his orders correctly, our sudden action, without any previous notice to the Japanese Government, is

a stunning blow to Japanese pride as well as to all liberal and pro-American influence here and will have, I fear, far reaching effects.

MORRIS

861.00/6117 : Telegram

The Secretary of State to the Ambassador in Japan (Morris)

WASHINGTON, *January 12, 1920—7 p.m.*

13. Your 9, January 9, 11 p.m. and 12, January 11, midnight. The orders issued to General Graves were dual in character. Unfortunately there seems to have been some misinterpretation of them and of the policy of this Government as expressed. In the first place the orders which General Graves issued for the evacuation of certain units as contained in your Urgent No. 9, January 9, 11 p.m., were intended to effectuate a purely strategic military move and had no political significance. These troops were simply scattering units in outlying districts and they were in danger of attack. Orders were sent them there to evacuate to a more central point in order that they might be concentrated and their defense more easily effectuated. The whole movement was one of defensive military character.

In the second place the information sent to General Graves indicated that there probably would be a movement for eventual evacuation of the forces from Siberia. This seems to have been misconstrued, and his action thereunder certainly was premature. Department had no knowledge that he had been instructed to evacuate as at the time the telegram in question was sent to General Graves the policy of the Government had not been definitely promulgated.

I desire you to explain to the Minister for Foreign Affairs and let it be known to the public, within your discretion, that there has been no purpose on the part of this Government to act otherwise than frankly and with the greatest possible measure of coordination. The Aide Memoire left with me by the Japanese Ambassador on December 8, 1919,[34] was understood to present clearly three alternatives, namely, reinforcement, maintenance of *status quo*, or withdrawal, and to require a definite answer. Moreover, the illness of the President, with whom final decision rested, made it necessary to present the question to him categorically. When the President's decision was known it was communicated as promptly as possible to the Japanese Ambassador at Washington and to you by means of the memorandum of January 9.

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[34] Not printed.

As already explained, the action of certain military authorities, based upon advance information was premature. Upon learning thereof the Secretary of War had orders addressed to General Graves stopping the troop movement which he had set in motion.

As you will see by reference to the memorandum of January 9, the departure of American troops is not intended before the safe evacuation of the Czecho-Slovaks has been assured. General Graves has now been instructed to report the present disposition of the Czecho-Slovak troops as well as of his own, and the orders which are eventually given him with respect to the departure of the American troops, or their removal from the sectors of the railroad which they are now guarding, will be based upon a consideration of this report with a view to assuring in conjunction with the Japanese military forces the safe evacuation of the Czecho-Slovaks.

LANSING

861.00/6124 : Telegram

The Ambassador in Japan (Morris) to the Secretary of State

TOKYO, *January 12, 1920—10 p.m.*
[Received January 13—7 : 40 a.m.]

13. Your January 9, 4 p.m. reached me this afternoon and I visited the Minister of Foreign Affairs as soon as it was decoded, as the Foreign Office had advised me at noon that no word had been received from Shidehara up to that time. The Minister of Foreign Affairs told me that Shidehara's telegram was just then arriving in sections and was badly broken. I read him our Government's statement and agreed to send him a copy so that it could be translated for the Cabinet meeting tomorrow. He expressed his regret that General Graves' announcement had been made public in Vladivostok, even [*before?*] our Government's note had been handed to Mr. Shidehara, thus placing the Japanese Government in an extremely awkward position. I pointed out that the statement would be given to the press in Washington tomorrow and that it might be wise for the Japanese Foreign Office to issue it here at the same time. Feeling continues very acute and the impression prevails that our Government has treated the Japanese Government and people with scant consideration. I hope that the wording of the statement itself will do much to overcome this impression. There seems to be some conflict between General Graves' orders and the information given to the Japanese Government concerning the time of evacuation. General Graves informs me that the evacuation will

begin today and continue as rapidly as transportation can be obtained, while the note to the Japanese Government mentions February 10th as the time our forces will begin to leave. I would appreciate definite advices on this point as much is being made of our hasty departure and the inference is suggested that we wished to embarrass any future plans of the Japanese Government.

MORRIS

861.00/6134 : Telegram

The Ambassador in Japan (Morris) to the Secretary of State

TOKYO, *January 14, 1920—8 p.m.*
[Received January 15—6 p.m.]

Your January 12, 7 p.m., just received. Since I delivered our Government's statement to the Minister of Foreign Affairs on the evening of January 12th I have kept in close touch personally with Viscount Uchida and Mr. Hanihara.[34] The Cabinet was in session all day yesterday and the Diplomatic Advisory Council is now meeting. The premature announcement at Vladivostok and the reference to secret instructions coupled with the statement that the first contingent of our troops would sail on January 12 raised a storm of indignation and resentment. As the Government is still debating its next move no official statement has yet been made.

There is still much bitter criticism of our alleged discourtesy and double dealing. The aggressive and imperialistic elements in Japanese public life are making the most of the incident to further their views and policies but, as I judge the situation, more cautious counsels will prevail and a policy of expedient compromise will be adopted. Such policy will probably include the immediate despatch of the Takata division to Siberia and the withdrawal of troops from the Amur Railway and their concentration on the line of the Chinese Eastern Railway with such control of operation as can be secured without unduly exciting Russian and Chinese feelings.

. . . . . .

MORRIS

861.00/6185 : Telegram

The Ambassador in Japan (Morris) to the Secretary of State

TOKYO, *January 20, 1920—midnight.*
[Received January 21—11 : 05 a.m.]

22. The note which was telegraphed to Ambassador Shidehara last night for delivery to you in answer to our Government's notice

[34] Masanao Hanihara, Japanese Vice Minister for Foreign Affairs.

of withdrawal from Siberia is the result of the long continued discussion in the Cabinet and the Diplomatic Advisory Council. Its moderate and friendly tone represents the attitude of both Hara [35] and Uchida who determined to continue at least the appearance of cordial relations with the United States. I have received, however, in many informal talks during the past week the very definite impression that the unexpected suddenness of our decision not only embarrassed the present Ministry but has left in the official as well as the public mind a sense of disillusion and uncertainty. I fear therefore that during this period of reaction we must be prepared for a considerable increase of suspicion and reserve in the attitude of Japanese officials.

MORRIS

861.00/6215a

The Secretary of State to the Secretary of War (Baker)

WASHINGTON, *January 22, 1920.*

MY DEAR MR. SECRETARY: With reference to cable No. 521 of January 10 from the Chief of Staff to General Graves, a copy of which you have kindly furnished me,[36] I suggest that, if this has not already been done in other cablegrams, it be made quite clear to General Graves that the mission of the American troops in Eastern Siberia will not have been accomplished until the safe evacuation of the Czecho-Slovaks is assured and a substantial portion of them actually afloat.

As you are aware, no doubt, the relations existing between the Czecho-Slovaks and General Semenoff [37] are very strained. It is to be hoped that the Czecho-Slovaks will find it possible to pass through the regions controlled by General Semenoff without serious difficulty. I am sure you will agree, however, that in view of all the circumstances it is not possible to permit a concentration of the American troops at Vladivostok, or the departure of a considerable portion of them before the free passage of the Czecho-Slovaks to Vladivostok is assured. While the responsibility of the United States relates primarily to the Czecho-Slovaks, it is felt that General Graves should also be instructed to assist, in case of need, the evacuation of the other friendly contingents, that is to say, the Jugo Slavs, Poles and Roumanians.

I am [etc.]

ROBERT LANSING

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[35] Takashi Hara, Japanese Prime Minister.
[36] Not found in Department files.
[37] Gen. Gregory Semenov, Ataman of the Far Eastern Cossacks.

861.00/6200

The Japanese Embassy to the Department of State

MEMORANDUM

The Japanese Government have carefully examined the Memorandum of the Department of State addressed to the Japanese Ambassador at Washington on January 9, 1920,[38] on the subject of withdrawal of American troops and American railway experts from Siberia.

In that Memorandum it is stated that for the United States, neither the sending of a reinforcement to Siberia, nor the further maintenance of the expeditionary forces has been found practicable, and that having regard to the main objects of the American military expedition which have now been accomplished, and also to the situation which has lately developed in Siberia, the decision has been taken by the Government of the United States, to proceed to the withdrawal of American troops and at the same time to recall the American railway experts at present assisting the operation of the Trans-Siberian and the Chinese Eastern Railways. After describing the considerations on which this conclusion is based, the Memorandum expresses the regret of the American Government for the necessity of such decision.

The Japanese Government have no intention whatever of calling in question the propriety of the decision now adopted by the United States of its own accord. Relying, however, on the spirit of harmonious co-operation in which the military enterprise in Siberia was originally undertaken and has since been conducted by the two Powers, the Japanese Government had expected that in proceeding to final decision to put an end to such undertaking, the American Government would be willing to communicate with them in advance.

They are informed that the Honorable the Secretary of State, in the course of his conversation with the Japanese Ambassador on January 10, explained that in view of the conditions prevailing in the United States, the American Government had found it urgently necessary to effect an early withdrawal of American troops from Siberia, and that when the decision was reached, there was no time left for the discussion of the question with the Japanese Government. Preparations for the departure of American troops from Siberia were accordingly ordered forthwith and the Secretary of State regretted that he had not been able to consult the Japanese Government beforehand on the step thus taken. The Japanese Government are happy to be assured that the failure of the American Government to communicate with them on the subject before the decision

[38] *Ante*, p. 487.

was finally taken was due to no other consideration than the need of prompt action under special conditions mentioned by the Secretary of State.

They are further gratified to learn that, in reply to the questions submitted by the Japanese Ambassador on the occasion of the foregoing interview, the Secretary of State declared that the American Government would have no objection to the decision which might be reached on the part of Japan to continue single-handed the stationing of her troops in Siberia, or, to send a reinforcement in case of need, or to carry on the assistance in the operation of the Trans-Siberian and the Chinese Eastern Railways.

With reference to the last paragraph of the Memorandum of the Department of State under examination, the Japanese Government have already communicated to the British and French Governments the substance of the Aide-Memoire of the Japanese Embassy handed to the Secretary of State on December 8,[39] and they will communicate it equally to the Italian Government. They will also make known to the British, French and Italian Governments the substance of the present Memorandum.

WASHINGTON, *January 22, 1920.*

861.00/6216

The Secretary of War (Baker) to the Secretary of State

WASHINGTON, *January 23, 1920.*

MY DEAR MR. SECRETARY: I have your letter of January 22d with reference to the Czecho-Slovak movement, and would advise you that the concentration of the American troops was recommended by General Graves before the orders were determined upon for the withdrawal of the American troops from Siberia, and is a military necessity which is now being accomplished.

With reference to the responsibility of the United States in connection with the Jugo Slavs, Poles and Roumanians, I have cabled General Graves for report concerning these contingents, and upon receipt of his reply will further advise you.

Sincerely yours,

NEWTON D. BAKER

861.00/6234

The Acting Secretary of State to the Secretary of War (Baker)

WASHINGTON, *January 28, 1920.*

MY DEAR MR. SECRETARY: I beg to refer to your letter of January 23 in which you indicate that you consider the movement of Ameri-

[39] Not printed.

can troops in Siberia toward Vladivostok a military necessity and that this movement is now being accomplished. I desire, in this connection, to draw your attention to a paraphrase of a telegram dated January 26, from Mr. C. H. Smith, the American representative on the Inter-Allied Railway Committee at Vladivostok, which reveals a very serious state of affairs in Eastern Siberia, as, indeed, do other telegrams to be referred to later. Mr. Smith believes, and on apparent good ground, that the steadying influence of American troops is essential to the safe evacuation of the Czecho-Slovak troops. The telegram is quoted below:

"Vladivostok—January 26. No. 25.

. . . . . .

"General Graves and some troops should remain here in Vladivostok until all the Czechs arrive on the Chinese Eastern Railway. Until all the Czecho-Slovaks have arrived at the embarkation point the Russian Railway Service Corps inspector should remain. It is not easy to estimate the arrival of the Czechs, but I am of the opinion that if the troops wait until April first and the American inspectors until May first the Czechs will have arrived. Everything possible will be done by the Committee, . . .

"There is little fighting going on between the Soviet forces and the rear guard of the Czechs, who are refraining, upon the request of the Bolsheviki, from destroying the railroad. The Czechs have asked permission to have Bolshevik soldiers accompany them east of Baikal. . . .

I would also call your attention to a telegram from the same source also indicating that a period of difficulty will ensue when the Czech troops enter the Trans-Baikal region *en route* to Vladivostok. Mr. Smith, who is an able and sober observer, anticipates difficulty between the forces of Ataman Semenoff and the Czechs, particularly as the control exercised by Semenoff over his men is apparently weakening. The text of this telegram is given below:

"Vladivostok, January 24. No. 24.

"Girsa [40] is in receipt of the following information: Power was handed over peaceably by the Social Revolutionists to the Bolsheviki on the 21st, and it is apparent that the Zemstvos, Municipalities, Social Revolutionists and Bolsheviki are in harmonious relations. Those war-weary Russians say that only in this way can the old guards be eliminated. Kolchak is now being held by the Bolsheviki, as well as his ministers, and a demand has been made upon the Czechs for the surrender of the gold reserve, as well as any Russians or Allies who are under their protection. The Czechs, in all probability, will turn over the gold but will refuse to give up the Allies, which will be much to the satisfaction of the Bolsheviki, who say

[40] Václav Girsa, political representative of the Czechoslovak Army in Siberia.

they do not desire to detain the Czechs. The Czechs are of the opinion that all further trouble will be with Semenoff's men, over whom he has no control, as they believe the Bolsheviki will give them no further difficulty.

"Six trains start westward [*eastward?*] from Irkutsk each day, but from Mysovaya only two, because the locomotives are controlled by Semenoff's bands. Committee has asked the Technical Board to remedy this and the Japanese military on this sector have been asked to cooperate with the Technical Board in carrying out orders. This will be sufficient.

"Local Zemstvos and Bolshevik leaders have informed me today that as soon as they have assurance that there will be no interference . . . they are ready to assume power without bloodshed, if possible. Before the Americans leave this may probably happen.

. . . . . .

The already completed withdrawal of American forces from the Suchan Mines, and the consequent failure of this important coal supply, may, as indicated, retard the later movement eastward of the Czecho-Slovak and other friendly troops.

The third telegram—from the American Consul-General, formerly at Omsk, [now] *en route* to Vladivostok—gives further evidence of the extreme delicacy of the situation in the interior of Siberia . . . The text of this telegram is given below:

"Chita via Harbin. January 23, 11 a.m.

"The situation in which the Czechs find themselves at present is of their own making, as in every town from Krasnoyarsk to Irkutsk they have encouraged the Social Revolutionists to revolt and the same methods are being pursued as far as Verchne-Udinsk on the Trans-Baikal. The Czech soldiers, and to some extent their leaders, are protesting against this situation because of their enmity for the Government of Admiral Kolchak and of their determination to (omission) Kolchak as much as possible before withdrawing from Siberia. The movement which they have fostered and encouraged has now spread to such an extent that it is beyond their power and control. Social Revolutionists west of Lake Baikal are being rapidly converted to the Bolsheviki, thus turning over the power once more into the hands of those who were in control in the spring of 1918. It is only logical that these Bolsheviki who did not spring up all over the country, have only one idea, and that is to destroy the element if it is possible. The evacuation of all (omission) is in charge of General Janin,[41] who is now at Verchne-Udinsk. In all probability the American Red Cross will leave Verchne-Udinsk during the coming week. . . .

It is believed that in the extremely complicated and threatening situation outlined in the three telegrams quoted, the presence of American troops may prove the only stabilizing factor. Their pre-

[41] Gen. Maurice Janin, of the French Army; Commander in Chief of the Allied forces west of Lake Baikal.

mature withdrawal to Vladivostok might even jeopardize the successful repatriation of the Czecho-Slovak troops to which the Government of the United States stands solemnly pledged.

I am [etc.] FRANK L. POLK

861.00/6200

The Department of State to the Japanese Embassy

MEMORANDUM

The Government of the United States has received the memorandum, under date of the 22nd instant, in which the Japanese Embassy in behalf of the Imperial Japanese Government took note of the memorandum by which this Government communicated its decision to proceed to the withdrawal of American troops from Siberia and to recall the American railway experts now assisting in the operation of the Siberian and of the Chinese Eastern Railways.

The Government of the United States has in particular noted that paragraph of the memorandum, in which the Imperial Japanese Government expresses its gratification at the intimation, conveyed by the Secretary of State to the Japanese Ambassador, that the American Government would have no objection to the decision which might be reached on the part of Japan to continue single-handed the stationing of her troops in Siberia, or, to send a reinforcement in case of need, or to carry on the assistance in the operation of the Trans-Siberian and the Chinese Eastern Railways.

This Government is happy to take occasion to confirm the intimation thus given by the Secretary of State, that it has no desire to oppose any obstacle to such measures as the Japanese Government may find necessary to the achievement of the announced purposes which induced the cooperation of the American and Japanese Governments in Siberia. In giving this confirmation of the intimation thus conveyed by the Secretary of State in connection with this Government's withdrawal from further active participation in the measures of military and technical assistance which it has been sought to render to the Russian people, the Government of the United States desires to record an assurance of its confidence that the Imperial Japanese Government will, in the exercise of the trust devolving upon it, pursue the same policy that was mutually agreed upon when the two Governments determined to cooperate in Siberia,—particularly in connection with the operation of the Siberian Railway system (including therein the Chinese Eastern Railway), the existing rights to which, it is confidently assumed, will in no way be impaired in consequence of the efforts of the Japanese

Government to carry out the purposes which induced the two Governments to send their military forces to Siberia.

The present memorandum is being communicated to the British, French and Italian Governments.

WASHINGTON, *January 30, 1920.*

861.00/6317

The Secretary of War (Baker) to the Under Secretary of State (Polk)

WASHINGTON, *February 9, 1920.*

DEAR MR. POLK: Referring to your letter of January 28th, in which you again discuss the concentration of the American troops at Vladivostok preliminary to their transportation to the Philippine Islands, I would advise you that General Graves himself, with a small contingent of American troops, now plans to remain at Vladivostok until about April 1st, when the movement of the Czecho-Slovaks to their native country will have been largely under way.

The reports which the Department has received from General Graves, copies of which have been furnished the State Department from time to time, indicate that the movement of the Czechs will at all times furnish a sufficient supply of their soldiers to fill the transports and Shipping Board vessels assigned by General Hines to their repatriation.

The condition of affairs at Vladivostok, although the Revolutionists are in possession of the City, appears to be well in hand and everything is reported as quiet. It is not believed that any hindrance will be made by the Russians or any faction in Siberia to the withdrawal of the American troops as planned. The sailings of our troops which have already been made leave approximately 6,000 men of our Army still in Siberia and it is now proposed that the entire movement shall have been accomplished by about the first of April.

Sincerely yours,

NEWTON D. BAKER

861.00/6353

The Acting Secretary of State to the Secretary of War (Baker)

WASHINGTON, *February 18, 1920.*

SIR: I have the honor to enclose herewith, for your information, copy of a telegram dated February 11th,[42] from Mr. John F. Stevens,

[42] Not printed.

of the Russian Railway Service Corps, who is now in Harbin, stating that the western contingents of the Czecho-Slovak troops who were endeavoring to proceed eastward are meeting with many difficulties in their progress. Mr. Stevens states that about one hundred trains are stalled west of Irkutsk, and that the Czech rear guard is near Nizhne-Udinsk proceeding on foot and under fire. Other reliable information indicates that the Czech rear guard is somewhat nearer Irkutsk, having reached Zima, a station roughly two hundred miles west of Irkutsk. This information confirms that the Czech contingents are proceeding on foot. I also understand that the last American contingents have already left Chita.

The Americans in the Railway Service Corps are, I understand, remaining at the points previously assigned to them, in order to assist the movement of the Czechs, and I would suggest the possibility of their being seriously embarrassed in their efforts to assist the eastward moving Czecho-Slovaks by the lack of American armed support originally distributed along the railroad for the express purpose of supporting them.

I have [etc.] FRANK L. POLK

861.00/6411

The Secretary of War (Baker) to the Acting Secretary of State

WASHINGTON, *February 19, 1920.*

MY DEAR MR. SECRETARY: I have your letter of February 18th, enclosing a cablegram from Mr. John F. Stevens concerning the movement of Czecho-Slovak troops.

The number of our troops remaining in Siberia is something like 5,000[43] and it is obvious that their assistance is not necessary to some 72,000 Czecho-Slovaks who are withdrawing toward Vladivostok. You may recall that Mr. Stevens, in one of his original cablegrams on this subject, stated in substance that if the small detachments of Americans scattered along the railroad had difficulty in getting out, they could be protected by the Czecho-Slovaks.

General Graves has reported the arrival in Vladivostok of a sufficient number of Czecho-Slovaks to fill the steamers about due there, and the question of the repatriation of these men would be extremely complicated if the entire 72,000 men arrived in Vladivostok, where there are no accommodations for them, at approximately the same

[43] General Graves and the last of the American troops left Vladivostok on Apr. 1. There is apparently no report of the actual departure in the Department's files.

time. Their arrival is about coincident with the arrival of our ships which are allocated to the duty of taking them to Trieste, and in my judgment our present plans are working satisfactorily.

Very sincerely yours,

NEWTON D. BAKER

EXTENSION OF JAPANESE MILITARY CONTROL IN THE MARITIME PROVINCE AND SAKHALIN

Japanese Military Control Established at Vladivostok and Nikolsk—Massacre of Japanese at Nikolaievsk and Japanese Occupation of Nikolaievsk and North Sakhalin—Statement by the United States Government to the Japanese Government That It Could Not Recognize the Occupation of Sakhalin by Non-Russian Authority

861.00/6429 : Telegram

The Ambassador in Japan (Morris) to the Acting Secretary of State

TOKYO, *February 25, 1920—9 p.m.*
[Received February 25—2 p.m.]

66. The Cabinet met yesterday and agreed to recommend to the Diplomatic Advisory Council the gradual withdrawal of all Japanese troops from Siberia. A meeting of the Council to consider this recommendation will be held shortly.

MORRIS

861.00/6464 : Telegram

The Ambassador in Japan (Morris) to the Acting Secretary of State

TOKYO, *February 27, 1920—3 p.m.*
[Received February 29—11:59 a.m.]

71. Supplementing my 66 February 25, 9 p.m. Following the decision of the Cabinet to withdraw Japanese troops from Siberia the General Staff has already prepared a detailed plan of operations for submission to the Diplomatic Advisory Council. This plan contemplates ultimate complete withdrawal from Siberia with the exception of Vladivostok and Nikolsk. Already the Amur line is being abandoned. This is to be followed by withdrawal from the Trans-Baikal region as soon as the Czechs have all left. Thus the final line to be occupied by Japanese troops will be Vladivostok–Nikolsk and thence along the Chinese Eastern Railway. In Northern Manchuria, Chinese and Japanese troops will guard the frontier

together in accordance with the terms of the Sino-Japanese military agreement and will assume the offensive if Bolsheviki troops attempt to enter Manchuria. No Bolsheviki activity will be allowed along the Chinese Eastern Railway zone. Japanese troops along the Vladivostok–Nikolsk line will be concentrated in large bodies, remain neutral and on the defense, only fighting if attacked. The occupation of Vladivostok is deemed essential for the protection of Korea. Repeated to Peking.

MORRIS

861.00/6668 : Telegram

The Ambassador in Japan (Morris) to the Secretary of State

TOKYO, *April 1, 1920—5 p.m.*
[Received April 1—2 : 34 p.m.]

150. Japanese Government yesterday made following declaration in the *Official Gazette:*

"The despatch of Japanese troops to Siberia having for its purpose the assistance of the Czecho-Slovaks, it is plain as was declared at the time of their being sent, that Japan will also withdraw her troops when the evacuation of the Czecho-Slovaks is actually completed.

The geographical relations of the Empire, however, with Siberia differ from those of the other powers. Not only do the political conditions in Far Eastern Siberia affect conditions both in Manchuria and in Chosen but a large number of the Japanese residents in Siberia are practically placed under such conditions that the safety of their lives and property cannot be assured. This is the reason why the Empire is not able to withdraw the troops immediately. The Empire entertains no political ambitions towards Russia. As soon as the political conditions in the territories adjacent to our country settle down, as soon as the menace to Manchuria and Chosen has been removed, the safety of the lives and property of the Japanese residents assured and the freedom of communications guaranteed, we hereby reaffirm our pledge that the Empire will evacuate Siberia provided the Czecho-Slovaks have been completely withdrawn."

The Government's declaration is not only being received with disfavor by the opposition but is also the subject of much adverse criticism in the Liberal press which feels that owing to its vagueness it will serve to increase rather than dispel the resentment of the Russian[s] and the distrust of the powers at the presence of the Japanese troops in Siberia.

MORRIS

861.00/6706

The Japanese Embassy to the Department of State

Having regard to the fact that Japan despatched her troops to Siberia for the purpose of rendering assistance to the Czecho-Slovak troops, it may be taken that her troops should be withdrawn, as was clearly stated in the declaration made on the occasion of their despatch, upon the completion of the evacuation of the Czecho-Slovak forces from Siberia. From a geographical point of view, however, Japan occupies a position in Siberia altogether distinct from that of the other Powers. More particularly, the political situation now obtaining in Eastern Siberia is not only gravely affecting the state of affairs in Korea and Manchuria, but is far from affording any assurance of the safety of the lives and property of a large number of Japanese subjects in these regions. This is the sole cause of Japan's inability to effect the immediate withdrawal of her troops, no design whatever of a political nature being entertained in this connection. Expression is therefore again given to the sincere desire of Japan to withdraw her troops as soon as possible after the completion of the Czecho-Slovak evacuation, and as soon as the political situation in the districts bordering on her frontier becomes sufficiently settled to remove all apprehension of danger to the regions of Korea and Manchuria, and to assure the safety of the lives and property of the Japanese residents as well as the freedom of traffic.

WASHINGTON, *April 3, 1920.*

861.00/6701 : Telegram

The Consul at Vladivostok (Macgowan) to the Secretary of State

VLADIVOSTOK, *April 5, 1920—11 a.m.*

[Received April 6—11 : 45 a.m.]

99. Japanese forces gradually extended occupation important heights around Vladivostok last month. April 1 hoisted flag Tiger Hill commanding railway station with infantry trenches, at the same time placing 38 machine guns, one field piece, abundant ammunition on fort number six, most important local fortification commanding railway approaches from the north.

General Takyanagi April 2d presented to provisional government six demands: (1) barracks, food, transportation and other requirements of Japanese forces; (2) ratification all agreements between Japanese and any Russian governments and commanders, agreements not being defined; (3) immunity of all persons assisting

Japanese military; (4) suppression of all movements threatening Japanese forces or peace and rise [*rights?*] of Korea and Manchuria; (5) suppression of all anti-Japanese press utterances; (6) ample safeguard of life and property and other rights of Japanese subjects, including Korean loan.

Russo-Japanese commission Sunday began discussing demands and adjourned ostensibly to meet today.

Ten o'clock last night Japanese began occupying city at the railway. Firing general throughout city by midnight. Provisional government headquarters bombarded point blank range from three quarters.

After brief machine gun fire apparently from the balcony above the American consulate, packhorse with machine gun or other ordnance was led up garden steps. Japanese officer on the balcony shouted orders to detachments sent from premises and directed rifle fire. Today I wrote Japanese diplomatic officer protesting and requesting such action be not repeated, directing attention priority consulate lease provision forbidding pickets on common ground and also to presence sand bags indicating premeditation.

. . . . . .

MACGOWAN

861.00/6697 : Telegram

The Ambassador in Japan (Morris) to the Secretary of State

TOKYO, *April 5, 1920—10 p.m.*
[Received April 5—9 : 30 p.m.]

157. My 150, April 1, 5 p.m. Yesterday General Tanaka issued a statement reiterating the intention of Japan ultimately to withdraw her troops from Siberia but pointing out how difficult it would be to do so in view of conditions now prevailing. This was evidently to prepare the public for the following announcement which was made today by the semi-official Kokusai news agency:

"The commander of the Japanese Expeditionary Forces in Vladivostok has asked for the reply of the Russian Provisional Government to the following demands. If no reply is forthcoming within 48 hours that is up to April 4, 9 a.m. Japan will take the necessary steps.

1. That the camps, provisions, transportation, communications and all other matters connected with the Japanese forces shall not be interfered with.

2. That all agreements concluded between the Japanese Government and the Russian officials, whether made independently or upon agreement with the Allied Powers or Allied Armies, shall be strictly observed.

3. That those who support the military operations of the Japanese Army shall not be arrested or restrained without the consent of the Japanese command.
4. That the actions of the various groups or secret societies harmful to Japanese troops or to Manchuria and Chosen shall be prohibited.
5. That the articles or statements appearing in various publications and the public acts for [*sic*] which threaten the Japanese Empire or the existence of her soldiers shall be suppressed.
6. That no interference shall be offered to the Japanese Army in the discharge of their duties of protecting the lives, property and rights of Japanese and Chosenese."]

Admiral Gleaves this morning received a radio from United States Ship *Albany* at Vladivostok that Japanese troops had yesterday occupied all principal Government buildings and important strategical points in Vladivostok after fighting and appeared to be in full control of the town last night.

Minister for Foreign Affairs stated this afternoon that he had received no definite information of what had happened in Vladivostok yesterday but that he (understood) that the Russians had begun the fighting.

MORRIS

861.00/6725 : Telegram

The Consul General at Irkutsk (Harris), temporarily at Vladivostok, and the Consul at Vladivostok (Macgowan) to the Secretary of State

VLADIVOSTOK, *April 6, 1920—11 a.m.*
[Received April 6—12:05 p.m.]

100. Allied civil and military representatives yesterday held separate meetings with the Japanese and joint meeting without them. . . . Provisional government reopened headquarters, found archives scattered. Provisional government sent memorandum denying Russians attacked the Japanese, demanding investigation by an Allied commission, release of prisoners, return of arms and ammunition, evacuation buildings, satisfactory explanation and apology and the discontinuance arrests and of searches by the Japanese.

It is reported a large part Russian forces escaped with arms to the hills. No Americans harmed. About a hundred Koreans arrested. Tokyo informed.

HARRIS
MACGOWAN

861.00/6704 : Telegram

The Ambassador in Japan (Morris) to the Secretary of State

TOKYO, *April 6, 1920—7 p.m.*
[Received April 6—5 : 58 p.m.]

158. My 157, April 5, 10 p.m. War Office this morning made the following announcement:

"Negotiations between the commander of the Japanese Expeditionary Forces and the provisional government of Vladivostok began on April 3rd and concluded in the evening of the next day.

A provisional government accepted nearly all of our demands and was to sign an agreement at 5 p.m. of the 5th.

At 10 : 15 p.m. of the 4th, however, our infantry patrol was suddenly attacked by the Russians and the latter took the offensive against us in many points of the town.

The commander of the Japanese forces was compelled to answer the attack and decided to disarm all the Russian troops in Vladivostok and the neighborhood and early on the morning of the 5th he commenced to take the definite steps."

War Office also announces that a report has been received stating that hostilities commenced between the Japanese and Russians yesterday morning at Nikolsk and Habarovsk but that railway and telegraph communication between those places and Vladivostok was however interrupted.

. . . . . .

MORRIS

861.00/6773 : Telegram

The Consul at Vladivostok (Caldwell) to the Secretary of State

VLADIVOSTOK, *April 16, 1920—3 p.m.*
[Received April 17—1 : 31 a.m.]

113. Supplementing [Harris and] Macgowan's 101 April 8, 4 p.m.[44] Situation here quiet. Government buildings seized by Japanese have been returned to Russian authorities who are functioning partially in portions undamaged by Japanese bombardment; telegraph office accepts telegrams from officials only; land telegraph line is open only to Nikolsk. Railway employees refuse to return to work under Japanese. Only trains running go as far as Nikolsk operated by Japanese crews and are run for Japanese military

[44] Not printed.

purposes only. Japanese claim to have released prisoners taken by them but refuse to return arms except to a few carefully selected policemen. Russian volunteer fleet steamships not running, officials stating they fear Japanese confiscation. Repeated to Tokyo and Peking.

CALDWELL

861.00/6795 : Telegram

The Consul at Vladivostok (Caldwell) to the Secretary of State

VLADIVOSTOK, *April 21, 1920—3 p.m.*
[Received April 23—10:14 a.m.]

119. Supplementing my telegram number 113, April 16, 3 p.m. Russian-Japanese commission formed to settle peaceably incident of April 4th, 5th received from Japanese members proposition of which following is summarized translation.

1. Russian armed forces of all parties must make following zones: (*a*) zones with radius of 30 kilometres from localities where there are Japanese agreement; (*b*) zones between line 30 kilometers east and north of Ussuri railway and Russian-Chinese-Korean borders; (*c*) zone along Suchan Railroad and 30 kilometres from end directions.

2. For preserving order and regulating traffic in above mentioned zones presence of certain number Russian forces is permitted. Guarding of railroad to be carried out according to regulations of Inter-Allied Military Committee in accordance with agreement regarding control of railroad reached by Allied Powers.

3. All Russian naval vessels, arms and ammunition and other material for hostile actions and factories therefor in above mentioned regions to be temporarily held by Japanese.

4. To reestablish as speedily as possible transportation in above mentioned regions, Japanese giving aid if necessary.

5. Speedy execution of above, special Russian-Japanese commission to be formed therefor if necessary.

6. Details of above to be worked out later by mutual agreement of both parties.

Workmen in railway and electric light plants still on strike and only few military trains run by Japanese. Food and fuel shortage begins to be acute and burglaries frequent.

. . . . . .

CALDWELL

861.00/6816 : Telegram

The Ambassador in Japan (Morris) to the Secretary of State

TOKYO, *April 25, 1920—4 p.m.*
[Received April 26—4: 08 a.m.]

201. Foreign Office yesterday issued following statement:

"The conditions in the district of Nikolaevsk which have been assuming a serious aspect since the beginning March appear to have culminated in a serious upheaval.

The suspending [*suspension of*] communications renders it absolutely impossible to gain knowledge of the real state of affairs; but all the reports so far received point to the conclusion that the Japanese guards in the locality were annihilated and that several hundred Japanese residents, including the Japanese consul there, have been massacred.

In view of the seriousness of the whole situation, efforts have been made by the Japanese consul and military authorities in Siberia to ascertain the truth, [through] open negotiations with the Russian authorities, and on the other hand to take the necessary steps for the rescue of the sufferers. The attempt however has been practically fruitless because of complete lack of communications in the disturbed district, in addition to the hindrance caused by the frozen character of the locality.

The hopelessly chaotic condition into which the neighboring localities have been thrown makes it quite clear that the attainment of the object for which the Japanese have so far made efforts will be a plain impossibility unless more drastic steps than the [usual means] are taken.

The Japanese Government therefore has decided to despatch a contingent to Nikolaevsk for the purpose of protecting the Japanese residents. As it is impossible however on account of the ice to go direct to the district, Japanese to send the contingent via Saghalin and to land them at Alexandrofski where they will stay until the freezing season is over, in the meantime protecting the Japanese residents in the locality of Alexandrofski.

In accordance with this decision the contingent departed for their destination on April 19th under the escort of the warships *Mikasa* and *Mishima* arriving at Alexandrofski early on the morning of the 22nd. The troops were able to land without meeting with any resistance.

The Japanese residents in the district were all found to be safe and the most of them were taken on board the *Mikasa*."

This is the first public announcement of Japanese activities in northern Saghalin which were first reported in Macgowan's telegram to the Department from Vladivostok, repeated to me February 19, 11 p.m.[44]

Reports [not yet officially confirmed] of a massacre of Japanese troops and city [*sic*] at Nikolaevsk have been current since April 1st

[44] Not printed.

and I understand Minister for Foreign Affairs has received a radio message from Tchicherin "regretting what had occurred" at Nikolaevsk without giving details.

MORRIS

861.00/6842 : Telegram

The Consul at Vladivostok (Caldwell) to the Secretary of State

VLADIVOSTOK, *April 30, 1920—5 p.m.*
[Received April 30—3:30 p.m.]

137. I have been informed today verbally by Medvedieff, president of the provisional government, that Russo Japanese agreement referred to in my telegram 119, April 21, 3 p.m., is practically concluded. Russians . . . will send Allied representatives copies as soon as actually signed . . . I will telegraph substance of terms as soon as received but I understand they are not greatly different from those summarized in my telegram 119, April 21, 3 p.m. President Medvedieff stated Russians agree to remove their army of between 30,000 and 40,000 men to beyond Habarovsk and the Amur River; Habarovsk is to be in Japanese possession and Russian property taken by Japanese is to be held by them subject to decision of Japanese Government.

Railway is reported to be badly damaged for 200 miles north of Nikolsk so that it is not certain that orders issued by provisional government in accordance with agreement can reach Russian forces north of Nikolsk or that they will be obeyed even if received. Japanese continue to bring in troops and General Inagaki told me few days ago that the situation north of Nikolsk is not at all good. Navigation to Nikolaievsk still closed by ice but it is reported that Japanese troops *en route* there have been landed on Saghalien. It is considered uncertain whether Japanese or Russians now in control of Habarovsk. Repeated to Tokyo and Peking.

CALDWELL

861.00/6852 : Telegram

The Consul at Vladivostok (Caldwell) to the Secretary of State

VLADIVOSTOK, *May 1, 1920—6 p.m.*
[Received May 2—11:57 a.m.]

141. Agreement referred to in my telegram 137, April 30, 5 p.m., has been signed. Terms practically as summarized in my telegram 119, April 21, 3 p.m.

Large labor day parade this morning but no disorder.

Russian press reports that Japanese Diplomatic Agent Matsudaira stated that Japanese Siberian policy is not independent but is fully in accord with other Allies. Denial of accuracy of this statement by Matsudaira or representatives Allies has been expected by Russians but has not so far appeared, which causes considerable comment. Repeated to Peking and Tokyo.

CALDWELL

861.00/6859 : Telegram

The Secretary of State to the Ambassador in Japan (Morris)

WASHINGTON, *May 7, 1920—5 p.m.*

172. In reference to Caldwell's telegrams quoting Russian press statements that Matsudaira has declared that Japanese Siberian policy is not independent but has approval of other Allies, you will communicate to Vladivostok, Peking, and Harbin for appropriate publicity the following:

"No agreement has been reached or discussed by the Government of the United States in regard to Eastern Siberia and the Chinese Eastern Railway zone since the agreement of the Allied and Associated Powers in January and February, 1919, under which the Inter-Allied Railroad Board and the Inter-Allied Technical Committee were established, and under which the distribution of the military forces guarding the railway was determined."

You may, in your discretion, make this public in Japan.

COLBY

861.00/6978 : Telegram

The Chargé in Japan (Bell) to the Secretary of State

TOKYO, *June 4, 1920—6 p.m.*
[Received June 4—10:52 a.m.]

284. Navy Department announces that a Japanese naval force occupied Nikolaievsk yesterday.

BELL

861.00/7001 : Telegram

The Chargé in Japan (Bell) to the Secretary of State

TOKYO, *June 9, 1920—3 p.m.*
[Received June 9—2:27 p.m.]

288. My May 25, 4 p.m.,[45] and June 4, 6 p.m. The War Office yesterday issued statement reporting that the 100 Japanese residents who survived the Nikolaevsk massacre in March were apparently

[45] Not found in Department files.

slaughtered about May 25th. Public feeling is running high and demanding punitive measures against Partisans. There are also suggestions in the press that northern Sakhalin should be occupied as a guarantee for reparation to be exacted after a Russian government, which can be dealt with, is established.

BELL

861.00/7034 : Telegram

The Chargé in Japan (Bell) to the Secretary of State

TOKYO, *June 15, 1920—3 p.m.*
[Received June 15—9:20 a.m.]

297. I have just received following note dated yesterday from Minister for Foreign Affairs. I have telegraphed text to consul at Vladivostok for his information and have sent copies of note to American consuls in Japanese Empire:

"I have the honor to inform you that I am in receipt of a telegraphic message of the following purport from Secretary Hanaoka at Nikolaevsk.

The Bolshevik having sown mines and sunk ships in waters round Pronge promontory near Nikolaevsk and the channel to the port of Pronge, navigation in those waters is dangerous. Further resistance that may be offered by the Partizans may make it necessary to extend the zone of belligerency. In these circumstances the Imperial army of expedition have decided to inhibit navigation of ships in some parts of these waters and also to exercise control in the northern littoral, outside of the above mentioned zone in regard to the landing of goods that are to be or may be put to the use of the Partizans or when [*to*] that of Russians of whom there is a fear of their being in collusion with the Partizans.

The measures decided to be enforced as above stated being unavoidable under the circumstances and operative quite irrespective of the nationality of ships, I have the further honor to request you to be so good as to advise to the above effect all persons and parties coming under your jurisdiction or protection who may be interested in the matter.

BELL

861.00/7043 : Telegram

The Chargé in Japan (Bell) to the Secretary of State

TOKYO, *June 17, 1920—2 p.m.*
[Received June 17—1:12 p.m.]

302. My June 15, 3 p.m. The Foreign Office issued yesterday the following statement concerning the Nikolaiefsk affair:

"When it was learned that the Japanese garrison at Nikolaiefsk had been attacked by the Bolsheviks in March last and that the

Japanese troops together with hundreds of Japanese residents including the Japanese consul and his family had been massacred, the Japanese Government instructed the Japanese consular and the military authorities at Vladivostok to investigate the affair in cooperation with the Russian authorities and to take measures for the relief of the Japanese who had survived the massacre.

It having been ascertained that the only means to afford such relief was to forward an expedition to Nikolaiefsk, a military detail was at once sent to Alexandrovsk, north Saghalin, whence it was to go to Nikolaiefsk as stated in a former *communique*. In view of the situation at Nikolaievsk reenforcements were sent to Alexandrovsk as well as a naval expedition. This expedition arrived at Nikolaievsk on June 3rd.

The investigation which was at once begun was handicapped by the fact that the Bolsheviks had fled after firing the town while no Japanese had survived the second massacre and the majority of the Russians also had fled.

Judging however from the information it has been possible to gather, it is certain that the Bolsheviks enlisted the assistance of turbulent [?] Russians, Chinese, and Koreans and attacked the Japanese garrison between March 12th and 14th almost annihilating them, the Japanese consul and other Japanese residents sharing the fate of the troops. The Japanese who survived this massacre numbered about 130. Though all of them were sick, wounded, children, or aged persons, they were thrown into the prison of Churem nuye.[46] They seem to have all been killed by the Bolsheviks on May 25th before the latter fled on the approach of the Japanese expedition.

The number of Japanese massacred is not known definitely. According, however, to statistics at the end of June last year there were 353 Japanese resident in Nikolaievsk, 169 men and 184 women. Their occupations were traders, carpenters, joiners, tailors, barbers, and goldsmiths. Some changes may have taken place in these figures. At a conservative estimate, however, 350 residents and 306 soldiers seem to have fallen victims to the Bolshevik atrocities."

BELL

861.00/7053

The Chargé in Japan (Bell) to the Secretary of State

TOKYO, *June 20, 1920—11 a.m.*

[Received June 20—7:11 a.m.]

307. My 297, June 15, 3 p.m. In a further note dated yesterday Minister for Foreign Affairs states that in view of the progress made in the work of clearing the sea and of the clear demarcation of the zone of fighting the commander in chief of the Japanese squadron at Nikolaevsk has decided to make free the navigation of ships in the waters of the [Bay of] de Kastri and the sea north of Dzhaore

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[46] Probably *tyuremnoe* (Russian adj., meaning prison).

promontory after June 20th save that strict control will continue to be exercised over arms, ammunition, and other articles of which there is a fear of their being put to the use of the Partisans.

All consuls informed.

BELL

861.00/7119

The Japanese Ambassador (Shidehara) to the Secretary of State

WASHINGTON, *July 3, 1920.*

MY DEAR MR. SECRETARY: Permit me to enclose herewith, for the information of the American Government, a Memorandum dealing with the recent situation in Siberia. The decision of the Japanese Government contained in the Memorandum has just been telegraphed to me, and has at the same time been announced in Japan.

Believe me [etc.] K. SHIDEHARA

[Enclosure]

The Japanese Embassy to the Department of State

MEMORANDUM

Within a period between March 12 and the end of May last, about 700 Japanese subjects at Nikolaievsk in the Province of Sakhalien, including officers and men of the garrison and members of the Consulate as well as civilian residents, men, women and children alike, were subjected to a wholesale massacre at the hands of the Bolsheviks through proceedings of unspeakable brutality. The Japanese Government feel it their duty to take suitable measures for upholding the dignity of a nation so wantonly assailed. In the absence, however, of any government at present with which the Japanese Government can properly conduct negotiations on the subject, they have come to the conclusion that they have no alternative but to seize and occupy certain points in the Province of Sakhalien which may be found necessary, until a legal government shall have been established in Russia and the present question satisfactorily adjusted.

With regard to the region of Trans-Baikalia, the Japanese Government have decided to proceed to the withdrawal of the Japanese forces from that district, in pursuance of their repeated declarations, considering that the whole Czecho-Slovak troops have now taken departure.

In the direction of Vladivostock, however, the situation constituting a grave menace to the security of Korea not only shows no

sign of improvement, but proves distinctly aggravating, while a large number of Japanese residents continue to reside in that district. Accordingly, until the reestablishment of order and tranquillity in the region, an appropriate number of Japanese troops will be maintained around Vladivostock, as well as at Khabarovsk which commands an important position in the line of communication with the Province of Sakhalien.

[WASHINGTON,] *July 3, 1920.*

861.00/7126b

The Acting Secretary of State to the Chinese Minister (Wellington Koo)

WASHINGTON, *July 13, 1920.*

MY DEAR MR. MINISTER: I am enclosing herewith a statement which is being given to the Press today [47] and which is based upon an account of occurrences at Nikolaievsk when that city was destroyed by Russian bandit forces. It appears from this account that the Chinese Consular and Naval representatives at Nikolaievsk rendered valuable services in the protection of the lives of Americans at that time and I take this opportunity to express to you this Government's appreciation of those services.

I am [etc.] NORMAN H. DAVIS

861.00/7119

The Secretary of State to the Japanese Ambassador (Shidehara)

WASHINGTON, *July 16, 1920.*

MY DEAR MR. AMBASSADOR: I have the honor to acknowledge the receipt of your letter of the 3rd instant, accompanied by a memorandum which contains an announcement in the following order of certain decisions of the Japanese Government in reference to:—

1. The occupation of certain points in the Province of Sakhalien;
2. The withdrawal of Japanese forces from the Trans-Baikalia region;
3. The maintenance of Japanese forces in the vicinity of Vladivostok and Khabarovsk, the latter being a position in the line of communication with the Province of Sakhalien.

Passing for the moment the decision above mentioned, numbered 1, and referring to the second of the above stated decisions, I beg to advise you that it is with much gratification that this Government

[47] Not printed

learns that the Japanese Government now finds it possible to proceed to the withdrawal of its forces from the region of Trans-Baikalia, in accordance with the declarations previously made by the Japanese Government and in pursuance of the common policy which prompted the dispatch of Japanese and other troops to the lines of the Siberian Railroad System (including the Chinese Eastern Railway) in the summer of 1918.

As to the third of the above-mentioned decisions which contemplates the maintenance of Japanese forces in the neighborhood of Vladivostok and Khabarovsk, this Government is not yet in possession of sufficient facts to enable it to form a judgment as to the military necessity of such action and therefore reserves an expression of its opinion on this point until it is more fully advised.

Reverting to the first of the above-mentioned decisions, namely, the decision of the Japanese Government to seize and occupy certain points in the Province of Sakhalien, pending the establishment of a legal government in Russia and satisfactory adjustments demanded by events which occurred at Nikolaievsk between March 12th and the end of May last, I must in frankness advise you that this Government, while deploring the excesses which appear to have been committed by irregular and outlaw bands against the Japanese troops and residents at that place, nevertheless fails to see the relevancy of these tragic occurrences to the decision now announced by the Japanese Government. The memorandum which you transmit refers to these events as occurring "at Nikolaievsk in the Province of Sakhalien". Such information as this Department possesses would indicate that Nikolaievsk is in the Primorskaya or Maritime Province, on the mainland of Siberia, whereas Sakhalien Province includes only the northern portion of the island of that name. From the memorandum it does not appear that the Japanese subjects within the territory comprised in Sakhalien have sustained any injuries; nor does it appear that the authorities in that Province were in any way involved in the atrocities at Nikolaievsk or chargeable with responsibility therefor; nor does the memorandum suggest any reason for assuming that the seizure and occupation of territory in Sakhalien would operate as a protection to the lives and property of Japanese subjects resident on the Siberian mainland.

In view of the mutual understanding between Japan and the United States to the effect that their joint military action in Siberia two years ago was for the purpose of stabilizing a situation created by the disintegration of all lawful authority, and in view of subsequent cooperation between the two Governments on the basis of a recognition of the right of the Russian people to work out their national destiny, I should be lacking in candor if I were to conceal

from you the concern with which this Government learns of a decision so entirely at variance with the trust which we jointly assumed and have sought to discharge in behalf of the distracted and oppressed people of Siberia.

I hardly need advert to the fact that despite provocations and injuries, very similar to those of which your country justly complains, other nations have refrained from the adoption of any course that involves encroachment upon Russian territory in the time of Russia's helplessness. And I need not emphasize, I am sure, the disappointment with which the people of this country would realize that such an impairment of Russia's territorial status, as your memorandum indicates, was an outcome of the mutual undertaking with Japan, upon which they entered in July, 1918,[48] in the hope of relieving the distress to which their associate, Russia, had been brought by the war.

In the friendly candor that marks the relations between our peoples, I am compelled to advise you that this Government cannot participate in the announced decision of your Government with regard to Sakhalien, nor can it recognize the occupation of said territory by any non-Russian authority.

In communicating to your Government the position on this subject which the Government of the United States feels compelled to adopt, I sincerely hope you will make clear the reasons which actuate it and the great regret with which it finds itself unable to assent to the views and purpose of the Japanese Government as announced in the memorandum herein referred to.

I am [etc.] BAINBRIDGE COLBY

861.00/7142 : Telegram

The Chargé in Japan (Bell) to the Secretary of State

[Paraphrase]

TOKYO, *July 20, 1920—noon.*
[Received July 20—6:12 a.m.]

353. Information has reached me that recently raids have been made on Okhotsk by bands of Bolsheviki who, coming from Nikolaevsk, are roving through the country. They destroyed the apparatus of the wireless telegraph and fish-canning stations at Okhotsk. They later reached the Gulf of Anadir and made an attempt to enter the Peninsula of Kamchatka, but failed. The Japanese have sent

[48] See *Foreign Relations*, 1918, Russia, vol. II, p. 267 ff.

a gunboat to Okhotsk and I know that Japanese business interests are bringing pressure to bear on their Government to give protection to the fishing interests by sending a small force of troops to Kamchatka.

BELL

861.00/7170 : Telegram

The Chargé in Japan (Bell) to the Secretary of State

[Paraphrase]

TOKYO, *July 23, 1920—1 p.m.*
[Received July 23—9:38 a.m.]

360. General Staff has informed military attaché that there is to be sent to northern Saghalien a brigade of the 7th Division which is stationed at Hokkaido. This increases the total additional troops sent to Siberia to one division, as it is in addition to the brigade recently sent to Vladivostok. Before winter the Japanese will withdraw to northern Saghalien the composite regiment which at present is at Nikolaievsk. At present it is not intended to send any detachments north of Saghalien Island (my no. 353, July 20.)

Accounts have lately appeared in the newspapers of preparations by the Government to send to northern Saghalien mining and other experts in order to exploit the natural resources of the northern part of the island while it is being "temporarily" occupied.

BELL

861.00/7188 : Telegram

The Chargé in Japan (Bell) to the Secretary of State

[Paraphrase]

TOKYO, *July 29, 1920—4 p.m.*
[Received July 29—1 p.m.]

378. My telegrams nos. 353 and 360, July 20 and July 23, respectively. I understand that the present arrangements are for the Japanese Government not to send troops to Kamchatka but to arm and drill, for the purpose of guarding the canning stations after the close of the fishing season, a certain number of Japanese fishermen at present living on the peninsula.

It is intended also to retain one or more [boats?] for patrol purposes in the Sea of Okhotsk.

BELL

861.00/7211a : Telegram

The Secretary of State to the Consul at Vladivostok (Caldwell)

WASHINGTON, *August 4, 1920—4 p.m.*

Tokyo press reports that in 1914 the Governor of the Maritime Province, with Imperial consent, issued a decree attaching Nikolaievsk to the district of Sakhalin. No report of this action can be found in the Department and the Department has been consistently under the impression that the four administrative districts of the Maritime Province, Sakhalin, Amur, Transbaikal were under the Governor General of the Amur, Sakhalin military governorship comprising only the Island itself and not including Nikolaievsk. Obtain text of decree at once and telegraph detailed summary, reporting, if possible, any reasons for the change given or made public at the time. Report also what the relations between Sakhalin and Nikolaievsk were under Kolchak and in the interim between 1914 and Kolchak's assumption of power. Immediate answer desired.

COLBY

861.00/7215 : Telegram

The Consul at Vladivostok (Caldwell) to the Secretary of State

VLADIVOSTOK, *August 7, 1920—1 p.m.*

[Received August 7—12:43 p.m.]

264. Replying to Department's telegram August 4, 4 p.m. By resolution of Council of Ministers approved by Czar October 24th, 1914, the period for the administrative rearrangement of the Maritime Province and Saghalin was extended and both [*sic*] and at same time Nikolaievsk and northern part of Udsk county were made part of Saghalin Province as a temporary measure. I am informed this was done in order to enable Governor Grigoreff to reside at Nikolaievsk instead of smaller and less accessible port Alexandrofsk he being former guard officer and close friend of several of the grand dukes and possessing more influence than the Governor General of this district. Of course this explanation was never made public, none being given in the decree itself. Decree merely contains above provisions, gives boundaries of small section around Nikolaievsk which was made part Saghalin Province and provides that Cossacks in this section shall continue to be under Ataman of the Ussuri Cossacks.

This decree has remained in force continuously and legally Nikolaievsk has been part Saghalin to the present although this has never come to my attention heretofore.

CALDWELL

861.00/7241

The Japanese Embassy to the Department of State

MEMORANDUM

The Japanese Government are happy to note that the United States Government, through the note of the Secretary of State dated July 10th [*16th*], giving frank expression to its views upon the declaration made by the Japanese Government on July 3rd respecting (1) occupation of certain points in the Province of Sakhalin (2) withdrawal of Japanese forces from Trans-Baikalia region and (3) maintenance of the Japanese troops around Vladivostok and at Khabarovsk, has expressed much gratification on the decision of the Japanese Government to withdraw their troops from the Trans-Baikalia region. At the same time, the Japanese Government regret that the United States Government fails to see the reasons which compelled the Japanese Government to take the first and third of the above-mentioned decisions.

Passing for the moment the first point, and referring to the third point, the political situation in Vladivostok and its neighborhood is far from being secure, nor is public order there restored as yet owing to the fact that the authority of the Provincial Government in Vladivostok is not yet fully established. The Japanese Government therefore are unable to leave to the Provisional Government there the protection of Japanese subjects in that district numbering about 7,000. Moreover, the lawless Koreans living in the vicinity, evidently under the influence of Russian bolshevism, are not only constantly creating disturbances on the borderland of Korea, but, armed and banded, they often penetrate into the interior of the country and make raid upon the civilian population taking toll of many lives and causing immeasurable damage to their property, a situation which is almost tantamount to a state of war. Confronted with so serious and pressing a danger to the peace and safety of Korea,—danger, moreover, behind which lies the formidable menace of bolshevism,—the Japanese Government, not unnaturally, look upon the situation with grave concern. The maintenance of the Japanese forces in the neighborhood of Vladivostok is thus a measure of self defense absolutely necessary for the protection of the Japanese residents there, as well as for the preservation of order and security in Korea.

As regards Khabarovsk, which is a point of special importance on the line of communication with Nikolaievsk, capital of the province of Sakhalin, it is also indispensable that a certain number of troops should be left there in order to maintain communication with the Nikolaievsk garrison. In this connection it may well be pointed out that the maintenance of the Japanese troops in Vladivostok and

Khabarovsk, which is thus necessary for safeguarding the interests of Japan and of the Japanese people in these regions, will also be conducive to the promotion of the general welfare of the Russian population.

To revert now to the first point: the United States Government appears to conclude that the occupation of certain points in the Province of Sakhalin has no relevance to the Nikolaievsk affair, on the assumption that Nikolaievsk is located in Primorskaya or the Maritime Province on the mainland of Siberia, whereas the Sakhalin Province includes only the northern portion of the island of that name. The information in the hands of the Japanese Government indicates that by virtue of the Russian Imperial decree of the 26th of February, 1914, the town of Nikolaievsk and its neighborhood was separated from the Maritime Province and incorporated in the province of Sakhalin together with the northern portion of Sakhalin Island, and Nikolaievsk has since then been the capital of the Province. Thus there being no shadow of doubt as to Nikolaievsk being within the administrative boundary of the Province of Sakhalin, the observation of the United States Government in this respect seems to be not well founded.

The note of the United States Government adds that from the Memorandum transmitted to it by the Japanese Ambassador in Washington, it does not appear that Japanese subjects in the northern portion of Sakhalin Island have sustained any injuries, nor does it appear that the Russian authorities in that Island were in any way involved in the atrocities at Nikolaievsk or chargeable with any responsibility therefor; nor does the Memorandum appear to suggest any reason for assuming that the occupation of the said Island would operate as a protection to the lives and property of the Japanese residents on the Siberian Mainland. The occupation of the northern portion of the Sakhalin Island has been found necessary, at the same time as the occupation of Nikolaievsk, because of the geographic situation in which that port is placed, and is calculated to further a settlement of the present affair.

The occupation of certain points in the Province of Sakhalin is a measure which,—in the absence of any responsible government in Russia to whom representation could usefully be made, with a view to obtaining redress for the wrongs so wantonly committed against the Japanese subjects by an inhumane and lawless band such as the so-called " partisans ",—the Japanese Government were compelled to adopt, pending the establishment of a legitimate government and the satisfactory adjustment of the Nikolaievsk incident. Cases of this kind are not wanting in international law, nor does such a step con-

stitute any violation of the mutual understanding which has been maintained by the Governments of Washington and Tokio since 1918.

It is pointed out in the note under review that despite injuries very similar to those sustained by Japan, other nations have refrained from the adoption of any course which involved encroachment upon Russian territory in the time of Russia's helplessness. The Japanese Government do not know whether other nations have sustained any such calamity as has now befallen Japan. Apart from that question, however, the occupation of certain points in the Sakhalin Province is a measure, as explained above, unavoidable in the present circumstances where there is no other means for securing redress for the injuries so painfully received, and it would be entirely beside the mark if it were construed as an act of territorial aggression.

The United States Government is believed to be well aware of the enormous sacrifices made by Japan in the past, from a feeling of deep sympathy in the present agony of Russia, and the Japanese Government have not the slightest intention of making any departure from this policy. Yet a disaster such as that which Japan met with at Nikolaievsk being one which has no precedent in the national experience of the country, it cannot be difficult to perceive that the entire nation would on no account have tolerated any measure short of that which has been adopted by the Japanese Government.

The Japanese Government feel persuaded that in full appreciation of the circumstances above set forth the United States Government will not be unwilling to take a sympathetic view of the decision of the Japanese Government as announced in the declaration above referred to.

WASHINGTON, *August 13, 1920.*

861.00/7403 : Telegram

The President of the Technical Board (Stevens) to the Secretary of State

HARBIN, *September 20, 1920—8 p.m.*

[Received 10:19 p.m.]

Japanese have ordered immediate evacuation all their troops from the territory north of Nikolsk including Habarovsk. Also a partial evacuation Nikolsk to Pogranichnaya. Concentration of troops evacuated to be made near to Vladivostok. Reported there are 35,000 to be moved. No advice received whether any are to be sent home.

STEVENS

861.00/7450 : Telegram

The Chargé in Japan (Bell) to the Secretary of State

[Paraphrase]

TOKYO, *September 29, 1920—5 p.m.*

[Received 6:41 p.m.]

500. Embassy's telegram no. 488 of September 20.[50] War Office has informed me that there has been a revision of the agreement of April 29 [51] between Japan's Expeditionary Force and the provisional government at Vladivostok concerning railway policing. This revision was due to the withdrawal from Habarovsk of the Japanese forces. By the agreement as revised, Russian armed troops are excluded south of Iman from the railway line. Russian civilian police will police the line between Iman and Ussuri, and south of Ussuri the Japanese troops will guard the railway. There are negotiations now going on in connection with the turning over to the Russians of the railway line between Ussuri and Habarovsk by which a neutral zone would be established extending from Ussuri to Iman.

BELL

861.00/7478 : Telegram

The President of the Technical Board (Stevens) to the Secretary of State

HARBIN, *October 5, 1920—6 p.m.*

[Received 9:59 p.m.]

Japanese will have 50,000 troops left in Vladivostok district after Habarovsk evacuation completed, of which they say they will send 15,000 to Japan but do not fix the date latter movement; 8,500 fresh troops landed last week. Vladivostok government practically collapsed. Rouble quoted 1,300 per yen. Russians there are completely cowed. Real estate values gone to smash. Japanese buying heavily. . . .

STEVENS

861.00/7494 : Telegram

The Consul at Vladivostok (Macgowan) to the Secretary of State

VLADIVOSTOK, *October 8, 1920—3 p.m.*

[Received 3:05 p.m.]

46. Zimmerman [52] out, commercial classes voted against further share in the local government.

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[50] Not printed.

[51] See telegram no. 141 of May 1 from the consul at Vladivostok, p. 512.

[52] Finance Minister, Vladivostok government.

Japanese staff states local government requested them to disarm Grodekovo Cossacks and they will do so placing 60 militiamen there with adequate Japanese military support . . .

American printed ruble may be considered dead. Now quoted 2,500 to dollar. Practically no exchange except limited amount of yen.

MACGOWAN

861.00/7512 : Telegram

The Consul at Vladivostok (Macgowan) to the Secretary of State

VLADIVOSTOK, *October 12, 1920—4 p.m.*

[Received October 12—11:57 a.m.]

53. Fifteen thousand refugees from Habarovsk arrived here.

Robberies, murders increasing Vladivostok and inhabitants. Swedish consul's country home plundered daylight, himself and family menaced. Consular corps probably will be asked to renew request to Japan to protect foreigners which was made by them when Caldwell was robbed. This request was based on responsibility assumed by the Japanese when they disarmed Maritime Provinces military forces. Without authority from the Department I cannot join in such request; please instruct. It has been informally suggested that the Allied Powers should return sufficient contingents to establish international police as the local authorities are powerless and are facing speedy bankruptcy. I offer no opinion.

MACGOWAN

861.00/7512 : Telegram

The Secretary of State to the Consul at Vladivostok (Macgowan)

WASHINGTON, *October 20, 1920—2 p.m.*

Your 53, October 12, 4 p.m. Refrain from requesting Japanese protection, either jointly with the other members of the Consular Corps or singly as American Consul.

COLBY

FAILURE OF ANTI-BOLSHEVIK ACTIVITIES IN EASTERN SIBERIA

Final Collapse of the Kolchak Government—Evacuation of Trans-Baikalia by the Japanese Forces—Dissolution of Semenov's Power in Trans-Baikalia

861.00/6082 : Telegram

The Consul at Harbin (Jenkins) to the Secretary of State

HARBIN, *January 7, 1920—1 p.m.*
[Received January 7—12: 58 p.m.]

Minister of Finance and several other officials of the Kolchak Cabinet passed Harbin. Indications are that Kolchak Government also thing of the past. Semenoff is issuing orders, appointing generals, creating commissions, and conferring decorations. . . .

JENKINS

861.00/6140 : Telegram

The Chargé in China (Tenney) to the Secretary of State

PEKING [*undated*].
[Received January 17, 1920—3: 22 a.m.]

2. From Harris via Harbin:

"January 8, 5 p.m. Arrived in Verchniudinsk today with entire Red Cross women personnel. Destruction of telegraph wires Irkutsk prevented my communicating with the Department. Seven telegrams filed there for forwarding. Armistice arranged for between Social Revolutionaries and Kolchak forces January 3. Social Revolutionaries have upper hand. About 1,600 Japanese soldiers arrived Irkutsk. Three armored trains of Semenoff on railway track outside of city renders evacuation difficult. Railroad being continually destroyed at various places. Semenoff troops captured station at one time, but were shortly afterwards evicted by Social Revolutionaries. Fighting everywhere attended with considerable loss of life.

Kolchak held in Nishniudinsk by Social Revolutionaries. They have demanded his retirement and that his staff and body guard should be enrolled in Social Revolutionary army. They also demand that gold be turned over to them. Allied High Commissioners in Irkutsk have instructed General Janin [53] to take military measures to safeguard Kolchak's person and to bring out the gold. Critical relations exist between Czechs and Semenoff troops and conflict may result if Semenoff attempts obstruct passage of Czech troops.[54]

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[53] Gen. Maurice Janin, of the French Army; Commander in Chief of the Allied forces west of Lake Baikal.

[54] For papers dealing with the evacuation of the Czechoslovak forces, see pp. 561 ff.

I shall remain for the present in Verchniudinsk or Chita in order to watch situation. Colonel McCroskey [54] joined me here today. As I have safely delivered nurses and Doctor Teusler [55] at this point, I now consider myself no longer responsible for their welfare. I believe it is the intention of Colonel Teusler to send all nurses to Vladivostok as soon as possible.

I have left Vice [Consul] Glaman for the present in Irkutsk. Vice Consuls Ray and Hansen are slowly proceeding direction Krasnoyarsk. All are safe. There are still some Red Cross men and railway engineers at and west of Irkutsk, but are moving slowly eastward.

Am mailing complete written report [56] concerning evacuation Irkutsk." Harris. Jenkins.

TENNEY

861.00/6157 : Telegram

The Chargé in China (Tenney) to the Secretary of State

PEKING, *January 14, 1920.*
[Received January 19—5 : 18 p.m.]

4. From Harris via Harbin:

"January 14, 4 p.m. Chita. There has been clash between Czechs and troops of Ataman Semenoff at Mysovaya and other points near Lake Baikal. An armored train and about 1,000 men disarmed and held by Czechs.

Also clash between American troops and Semenoff troops at Verchniudinsk. Americans captured armored train and disarmed Semenoff troops. Three American soldiers dead. Verchniudinsk reported hating [?] Czech troops.

Reported that Japanese will undertake guarding of railway from Mysovaya to Manchuria Station and will not permit further conflict between Czechs and Semenoff. Evacuation Czech echelons going forward.

I called on Ataman Semenoff today accompanied by Colonels Teusler and McCroskey. Arranged with Semenoff for distribution of certain Red Cross material needy population. My relations with Semenoff cordial and I have no fear for safety of Red Cross nurses here. We are all proceeding eastward in a few days." Harris. Jenkins.

TENNEY

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[54] Lt. Col. B. B. McCroskey, with American forces in Siberia.
[55] Dr. R. B. Teusler, American Red Cross Commissioner in Siberia.
[56] Not printed.

861.00/6147 : Telegram

The Consul at Harbin (Jenkins) to the Secretary of State

HARBIN, *January 18, 1920—1 p.m.*
[Received January 19—9 : 35 a.m.]

From Harris, Chita, as follows:

7. For the Department, January 17, 7 a.m., Ataman Semenoff and the Governor General of Trans-Baikal called upon me today and formally protesting against an order issued by Colonel Morrow that in the city of Verchniudinsk nobody would be allowed, except the American military militia, to make any arrests for any reason whatsoever, except in the case of officers who can arrest their subordinates for the purpose of upholding discipline among their troops. Any one arrested by their detachments would be freed and the commandant of the towns was so informed. Colonel Morrow issued this order and stated that it would be carried out by his troops with force. He would further watch irresponsible persons and the reorganization of troops in the city of Verchniudinsk. Ataman Semenoff considered this order as being an interference in the internal affairs of Russia.

I telegraph this to the Department for such consideration and attention as may be deemed advisable. Signed Harris.

JENKINS

861.00/6257 : Telegram

The Consul at Harbin (Jenkins) to the Secretary of State

HARBIN, *January 19, 1920—1 p.m.*
[Received January 28—6 : 25 p.m.]

From Harris, Chita:

"Czechs and Semenoff have arranged their difficulties so that Czechs will probably now be evacuated without further conflict. Attitude of the Japanese still uncertain. Doubtful if Japanese will attempt support Semenoff in Trans-Baikal as very large army of occupation would be necessary and extremely doubtful if same would succeed in the end.

Practically speaking Bolshevism now reigns supreme in Russia and Siberia. Reported here that Czech rear guard now fighting Bolshevik near Krasnoyarsk. All contact with Polish contingents that section lost and it is believed that Poles have negotiated armistice with Bolshevik and will return home through European Russia.

I shall proceeed soon to Harbin with American Red Cross female personnel where I shall wait until Czech echelons have passed.

Unless otherwise instructed by the Department I shall return to Irkutsk and possibly Omsk in order to ascertain personally the state of affairs. The presence of the Social Revolutionaries will enable me to do so with safety and from my former experiences with Bolshevik I have no fear of harm from them. It is my intention with some slight changes to keep my organization together and I trust that the Department will continue to keep Colonels McCroskey and McCabe attached to me. These things are necessary in view of pending and important changes which are shortly sure to come in Russia and Siberia.

From my knowledge of the situation I have come to the conclusion that the Bolsheviki are moderating from their position of terrorism and that wholesale executions and plunderings now no longer obtain. To what extent they have receded from their position of nationalistic and communistic ideas I cannot state at present, but they certainly are not as extreme as formerly. I have no idea that one at all times can discuss with them any connecting plan, but I do believe that the time is come for us to get at very close range with them in order to study the situation. This I propose to do.

The American Red Cross still has from eight to ten train-loads of material in Vladivostok. I respectfully suggest that some plan be arranged whereby this material may be distributed to the Russian people in Russia and Siberia in accordance with the same plan which is now being done in Irkutsk, Chita, entirely without reference to politics. In my judgment this should be done and be placed in the hands of thousands of people who are now freezing to death for the want of clothing and are dying in exceedingly large numbers for the want of hospital supplies. I recommend a policy of this nature in view of the effect which it would have upon our future relations with Russia and especially so as these supplies are now at hand and needed in the winter.

Please telegraph me care of the consulate at Harbin.["] Signed Harris.

JENKINS

861.00/6211 : Telegram

The Consul at Harbin (Jenkins) to the Secretary of State

HARBIN, *January 20, 1920—1 p.m.*
[Received January 24—8:10 a.m.]

Following from Harris, Chita:

"January 19, 9 a.m. Somewhat garbled telegram received from Vice Consul Ray dated January 14th from point between Krasno-

yarsk and Nishniudinsk indicates that Colonel Blunt and seven American engineers, as well as Ford, Charette, Medille and several other American Red Cross and entire Polish Army has been captured by Bolsheviki at Klyuchinskaya. Vice Consuls Hansen and Ray, also Hinkel Brewster and 20 mostly Russian Red Cross personnel succeeded in reaching Chernorechensk. Czech rear guard now fighting Bolsheviki.

Kolchak now held prisoner Irkutsk by Social Revolutionaries. Not clear whether he proceeded from Nishniudinsk under Czech guard or own train. Reports in this respect conflicting. One report states that Kolchak refused Czech escort and proceeded alone but was arrested near Irkutsk by workmen and was handed to Social Revolutionaries. Reported Chita that Japanese commander Irkutsk has asked for instructions whether or not he shall escort Kolchak to Chita."

JENKINS

861.00/6197 : Telegram

The Consul at Harbin (Jenkins) to the Secretary of State

HARBIN, *January 22, 1920—1 p.m.*
[Received January 23—9:54 a.m.]

Semenoff has published an order alleged to be signed by Kolchak appointing Semenoff to full governmental authority over Eastern Siberia.

JENKINS

861.00/6221 : Telegram

The Consul at Harbin (Jenkins) to the Secretary of State

HARBIN, *January 25, 1920—1 p.m.*
[Received 10:25 p.m.]

Following from Harris, Chita:

"January 22, 2 p.m. Am leaving tonight for Harbin. Have instructed Colonel McCroskey together with Vice Consul Thomas to remain for the present in Chita and evacuate with Czechs at later date.

Am advised, on good authority, that Kolchak is now prisoner of so called Political Center in Irkutsk and that this party is affiliating with the Bolsheviki, who are calling meeting on January 25 to establish soviet consisting of soldiers, workmen, and peasant deputies.

It is still very uncertain what will be the ultimate end of both Kolchak and the gold. Later reports indicate that part of Polish Army voluntarily surrendered and are now fighting with Bolsheviki."

JENKINS

861.00/6308 : Telegram

The Chargé in China (Tenney) to the Secretary of State

PEKING, *January 30, 1920.*
[Received February 6—5:21 p.m.]

[From Harris:]

5. ["] January 30, 10 a.m. In Irkutsk Czechs have delivered both Kolchak and the gold to the Bolshevik. The attitude of General Janin in this matter is not yet clear but he appears to have acted contrary to instructions given by the High Commissioners."

Harris
TENNEY

861.00/6271 : Telegram

The Consul at Vladivostok (Macgowan) to the Secretary of State

VLADIVOSTOK, *January 30, 1920—11 a.m.*
[Received 5:41 p.m.]

34. The following resolution was adopted unanimously yesterday: " Observing principle non-interference Russian internal affairs, diplomatic representatives of Allies recommend in case of disorders that the Allied military commanders limit their action to securing the lives and property of peaceful residents ". Repeated Tokyo [and] Consul General Stephen [*Harris?*]

MACGOWAN

861.00/6276 : Telegram

The Consul at Vladivostok (Macgowan) to the Secretary of State

VLADIVOSTOK, *January 30, 1920—1 p.m.*
[Received January 31—4:04 a.m.]

35. Continuing January 30th, 11 a.m. While Japanese diplomatic representatives acquiesce in this resolution, General Oi[57] last night assured General Rozanoff[58] that the Japanese would allow no insurgents to enter Vladivostok.

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[57] Gen. Narimoto Oi, commander of Japanese forces in Siberia.
[58] In command at Vladivostok under Admiral Kolchak.

Following organization at Nikolsk of temporary government, insurgent army of upwards 7,000 men, four commissioners were sent to negotiate with Rozanoff. Although 100 Russian officers at Nikolsk were declared hostages for their safety, Rozanoff stopped train of the commissioners 15 miles from here and they believed he intended to have them shot. On American representations Fortress Commandant Verigo secured safe arrival under American protection of the commissioners yesterday morning but they saw nobody officially except General Oi who was non-committal. In conversation with Allied officers they declared themselves National Democrats and stated their purpose was to organize temporary government under Zemstvo leadership, liquidate Kolchak regime, restore peace and bring to an end foreign intervention. They stated only two deaths resulted from taking over Nikolsk and assured callers there would be no excesses or reprisals here. While they are in communication with Moscow they stated government of this territory would not be Bolshevik. This remains to be seen. Delegates departed last night declaring their forces would be here within a few days.

Delegates grateful for protection offered by Americans. Insurgents generally have no hostility to Americans. Nevertheless, every precaution is being taken to assure safety of all Americans. Women of all missions have been ordered into American Red Cross compound or army base by to-night and only army medical corps of male personnel will be left at detached offices. American civilians will be advised to go to American Red Cross to-night until further notice. All American residences and institutions are in district assigned to American military and naval patrols. Marine and military cadets have gone aboard Russian steamship *Orel* in order to escape further police duty desiring to remain aboard until order restored and they can continue studies.

Rozanoff tried to organize military officers here, who have been overestimated at 2,000, into patrols but few responded.

Contrary to the spirit of his armistice Rozanoff Wednesday arrested several local Zemstvo leaders because they directed state bank guards not to allow anything to be taken from the bank without authority of the president of the Zemstvo. I have confidential information bank officials have lately feared Rozanoff more than insurgents or robbers.

Newspapers are under rigid censorship, meetings including dances, concerts, theatricals, require Rozanoff's authority, Zemstvo municipal council and all other organizations must report program of discussion before meeting. These measures aim to check general slump to the insurgents.

Without more than 300 trustworthy armed supporters Rozanoff can hardly maintain his position even with Japanese support and

he has been reported as desirous of departing with the cadets but they oppose taking him.

Crimes have become somewhat more frequent here; 5,000,000 rubles were taken Wednesday from a government officer.

Repeated to Tokyo [and] Harris.

MACGOWAN

861.00/6341 : Telegram

The Consul General at Irkutsk (Harris), temporarily at Harbin, to the Secretary of State

HARBIN, *January 31, 1920—1 p.m.*

[Received February 11—3:49 p.m.]

Quiet reported along the line between Irkutsk and Harbin. Fighting between Czech rear guard and Bolsheviki continues. Reported two bridges destroyed in advance of Czechs compelling them to detrain and continue their advance on foot. General situation that section considered serious for Czechs. Poles claim that Czechs destroyed bridges in front of them thereby forcing their surrender. Evacuation of American and Czech echelons through Semenoff territory proceeding without incident. About 300 prisoners of war have joined Semenoff's forces at Chita.

HARRIS

861.00/6281 : Telegram

The Consul at Vladivostok (Macgowan) to the Secretary of State

VLADIVOSTOK, *January 31, 1920—6 p.m.*

[Received January 31—5:50 p.m.]

39. Six oclock this morning *Orel* and small consort *Yakut* sailed with cadets and many officers. Seven o'clock machine guns in the apartment of General Oi over my own opened fire. I was awake and went to the window where one man, woman and dog were visible, bullets knocking dust beside them. Shortly afterwards military column from the direction of the American base halted at General Rozanoff's residence and about 8' o'clock dropped shell in Rozanoff's premises. Oi with platoon guard parleyed while Rozanoff and family escaped by back entrance and entered Oi's residence under small Cossack escort. With some loss of dignity Oi withdrew platoon and column proceeded to railway station, disarming all officers found at public offices and placing them under guard without any violence.

Zemstvo proclaimed itself provisional government and summoned all officers, officials and citizens to maintain order and conserve public interests.

Marine corps from outside began arriving in the afternoon. Local insurgents numbered about 300 and were prudently led.

. . . . . .

MACGOWAN

861.00/6300 : Telegram

The Ambassador in France (Wallace) to the Secretary of State

PARIS, *February 4, 1920—10 p.m.*
[Received February 5—11:25 a.m.]

364. Following note signed Prince Lvoff, Sazonov, Savinkoff, Maklakoff received from Russian delegation in Paris:

"It is reported from Siberia that Admiral Kolchak has been handed over to the Bolsheviki by the Czechs with General Janin's assent. The Russian delegation in Paris very much disturbed by this news, applies to the Government [of the United States] and expresses to it the hope that the Allies will not fail urgently to take any necessary measures to have the Admiral liberated and protected from the grave danger which menaces him. The Allied Governments who have themselves had relations with Admiral Kolchak and last summer solemnly promised him their assistance cannot abandon him at this time as such a desertion especially in view of the part played in this circumstance by an Allied general would not fail to have the most disastrous repercussion on public opinion in all anti-Bolshevist Russia."]

WALLACE

861.77/1352 : Telegram

The Consul at Vladivostok (Macgowan) to the Secretary of State

VLADIVOSTOK, *February 6, 1920—2 p.m.*
[Received February 14—10:35 a.m.]

43. Smith [63] advised.

"Present plans of Zemstvos outlined to me by their President Medviedeff; Allied operation of railway desired by them as well as railroad employees until the departure of the troops; Bolsheviki giving Zemstvos their support and workmen decided upon the 4th also to lend their full support; only sufficient forces to guard railroad will be retained, all other troops to be demobilized when

[63] C. H. Smith, American representative on the Inter-Allied Railway Committee.

Habarovsk is taken and the intimated Japanese evacuation takes place. Russians intend to ask the United States for railway inspectors and other aid if possible. It is hoped also that the American Red Cross remains temporarily and that Y.M.C.A. will continue rural and efficient units here.

Absence of locomotives makes the position of the Czechs at Irkutsk very bad according to the Czecho-Slovak Commissioner and Czechs arriving there on foot. I leave for the interior today destination Irkutsk in compliance with Committee's request and while probably everything possible is being done, the presence of a representative of the Committee may have a good effect on Czechs.

. . . . . .

Souchan coal mines will open shortly; quiet has been restored here and along the railway."

Repeated to Morris.

MACGOWAN

861.00/6479 : Telegram

The Consul General at Irkutsk (Harris), temporarily at Vladivostok, to the Secretary of State

VLADIVOSTOK, *February 8, 1920—8 p.m.*
[Received March 1—6:27 p.m.]

Vice Consul Hansen reports in substance from Chita that the loyal troops of the former Kolchak army which have arrived at [apparent omission] are in no condition to fight. After their retreat of more than 2,000 versts their condition has become wretched. They lack clothing, are hungry, and a large per cent of them frostbitten. Kappel [64] died of spotted typhus before reaching Irkutsk. These troops are going to Chita for rest, new equipment, and supplies. Generals Janin and Syrovy [65] are at Verchniudinsk. There are still 60 Czech echelons west of Irkutsk. Colonel Johnson reports Janin personally responsible for slow progress of Czechs through Chita. Czechs west of Irkutsk in very bad condition. Large proportion men have frostbitten limbs and are inadequately clothed resulting from recent rear guard fights with Bolsheviki. Feeling among Russians very bitter for Kolchak's [surrender] to Bolsheviki by Janin.

Conditions on the surface in Chita quiet and will most likely remain so as long as main body of Czechs still west of Chita.

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[64] General in Admiral Kolchak's army.
[65] Gen. Jan Syrovy, commanding Czech troops.

American Red Cross doing splendid work Chita. Local papers publishing daily letters of appreciation written by those receiving supplies. Distribution made by Red Cross has been very effective. Semenoff has cooperated in every way to make Red Cross distribution effective among civilian population. Further, Semenoff has fought every attempt on the part of his military organization to receive Red Cross supplies, declaring civilian population must be supplied first. No further news of Red Cross or engineer men captured by Bolsheviki at [Klyuchinskaya].[66]

HARRIS

861.00/6496 : Telegram

The Consul at Harbin (Jenkins) to the Acting Secretary of State

HARBIN, *March 4, 1920—4 p.m.*
[Received 10:38 p.m.]

According to the Czechs, Semenoff forces showing signs of breaking up. It is believed Semenoff will try to escape to Urga in Mongolia. Three thousand Bolshevik troops are reported near station Olovyannaya 60 miles east of Chita. Part of Semenoff troops concentrating at station Dauria near Manchurian frontier. Many Russian officers presumably former Kolchak and Semenoff men are straggling into Harbin.

JENKINS

861.00/6865 : Telegram

The Consul at Harbin (Jenkins) to the Secretary of State

HARBIN, *May 3, 1920—1 p.m.*
[Received May 4—12:56 a.m.]

Referring to Department's telegram of April 28, 2 p.m.[67] Extremely difficult to obtain reliable information from Trans-Baikal. Considerable fighting between Japanese and Bolshevik Partisans has been going on around Chita and near Sretensk since April 10th. Bolshevik Partisans use aeroplanes and artillery. Bolsheviki reported to have suffered severe set back near Chita on the 11th. Japanese said to have two divisions on Chita front and one division in Sretensk region. Most of Semenoff troops, which are not nu-

[66] See telegram of Jan. 20, from the Consul at Harbin, p. 530.
[67] Not printed.

merous, appear to be protecting Japanese rear on railway from Karimskaya to Manchuria. Bolsheviki not thought to have more than ten or fifteen thousand men opposing Japanese . . . General Voitzekovski, northern remnant Kappel army at Chita, has broken with Semenoff and is now on the way to Harbin. Only the worst elements among Russian officers will now serve with Semenoff. Group of officers, who left here recently for Chita, reported returning because Voitzekovski out. Dietrichs, Russian general formerly commanding Czech troops, has left Harbin for Chita. . . .

JENKINS

861a.01/4 : Telegram

The Consul at Harbin (Jenkins) to the Secretary of State

HARBIN, *May 27, 1920—5 p.m.*
[Received 9:33 p.m.]

Ataman Semenoff issued declaration May 24th that Vladivostok government shall be considered as non existent, that all its acts regarding fishing, mining, and forest concession are invalid and that he is legal successor of Kolchak. Will shortly appoint a chief administrator for Far Eastern Siberia.

Group of Russian reactionaries headed by Gondatti recently adopted resolution favoring Japanese intervention and advocating the vesting of supreme authority in East Siberia in one person.

. . . . . .

JENKINS

861.00/6950 : Telegram

The Consul at Harbin (Jenkins) to the Secretary of State

HARBIN, *May 31, 1920—2 p.m.*
[Received June 1—12:42 a.m.]

Have received personal letter from Ataman Semenoff addressed to Consul General Harris dated May 18 expressing regret not having seen Harris personally before his departure to lay before him his desires for future relations with the United States. . . . Says that trade with Japanese is growing but appreciates friendship American people and thinks we could also play important part in development of resources Eastern Siberia. Semenoff thinks America should have representative at Chita but says such representative should be in sympathy with Semenoff and not engaged prohibit political propa-

ganda as has been the case in the past. Concluding asks that letter be brought to the attention of American authorities. I am transmitting through the Legation. . . .

JENKINS

861.00/7117 : Telegram

The Minister in China (Crane) to the Secretary of State

PEKING, *July 9, 1920—7 p.m.*
[Received July 9—1:49 p.m.]

166. The following telegram has been received from Stevens:

Harbin, July 6, 10 p.m. Orders are issued for the evacuation Japanese troops from the Trans-Baikal region. Destination is unknown. At their request we are sending 2000 box and 200 passenger cars for the movement.

Repeated Tokyo.

CRANE

861.00/7122 : Telegram

The Secretary of State to the Ambassador in Great Britain (Davis)

WASHINGTON, *July 19, 1920—7 p.m.*

758. You may make the following the basis for informal discussion with the Foreign Office:

The Department of State is in receipt of advices from which it would appear probable that Ataman Semenov, the leader of an anti-Bolshevist Russian faction, basing itself on Chita, in the Trans-Baikal region of Eastern Siberia, may withdraw from Russian territory to the concession zone of the Chinese Eastern Railway. It is desired to present this possibility to the earnest attention of the Foreign Office and to suggest that it be considered in the light of the following:

The group headed by Ataman Semenov is a Russian faction pretending to international status and exercising certain attributes of *de facto* sovereignty such as the maintenance and control of troops, the exercise of police powers and the regulation of commerce. As such it can have no possible place on territory over which the Chinese Government exercises sovereignty.

With respect to any claim that Semenov's presence with his troops is required to maintain order on the Russian railroad concession across Manchuria, it is to be remembered that there already exist several agencies charged with this task. Under an agreement as to

the distribution of troops on the railways, reached on April 22, 1919, pursuant to article 2 of the plan for the supervision of the Chinese Eastern and Trans-Siberian Railways, dated January 15, 1919, the protection of the entire Chinese Eastern Railway was entrusted by the Inter-Allied Committee to China and Chinese troops. There have always been, moreover, certain Russian instrumentalities existing to safeguard the railroad line. It furthermore appears that there are considerable bodies of Japanese troops present in the railway concession zone. In view of the presence of these three bodies of guards there would not seem to be any necessity now for the presence in the zone of additional Russian troops.

It will be remembered that in undertaking to guard a portion of the railroad, Japan, China and the United States desired to ensure its satisfactory operation. In the course of the functioning of the agreement this Government found it necessary in the summer of 1919 to call upon the Japanese Government to protect the members of the Railway Service Corps against danger to their lives and property, resulting from arbitrary and lawless acts committed in the territory controlled by Ataman Semenov, by forces owing allegiance to him and in distinct contravention of the commands issued by the Russian authorities whom the Powers were then supporting and to whom Semenov was subordinate. There is, therefore, nothing in the past activities of the more or less irregular and undisciplined force directed by Ataman Semenov which would lend color to any claims advanced by him as to his purpose or desire to protect or represent the interests of Russia, now unhappily left without a spokesman in the Far East. It is consequently a matter for grave apprehension lest the presence of his forces in the railway concession zone should lead to serious complications and disorders, which might result in the complete paralysis of traffic on the railroad and an undesirable intensification of its present financial difficulties.

The Department desires to learn whether the British Government would be inclined to join in common representations to China and Japan in the sense of the foregoing.

COLBY

861.00/7240 : Telegram

The Consul at Harbin (Jenkins) to the Secretary of State

HARBIN, *August 12, 1920—4 p.m.*
[Received August 13—7 : 11 p.m.]

Several trains Japanese artillery and cavalry from Trans-Baikal have passed Harbin for Vladivostok many of them actually *en route*. Evacuation Trans-Baikal now seems certain. Semenoff

forces also reported to be evacuating Chita toward Manchurian frontier and it is expected that Zemstvo government will shortly be formed in Chita. Just informed [by] Semenoff representative that Semenoff and staff leaving for Dauria Station to-day where headquarters will be established for the present. Newspapers continue report that many Semenoff officials are passing through Harbin for Grodekovo, a Cossack town near Vladivostok.

JENKINS

861.00/7232 : Telegram

The Secretary of State to the Ambassador in Great Britain (Davis)

WASHINGTON, *August 12, 1920—6 p.m.*

865. Referring to Department's No. 758, July 19, 7 p.m. Department is in receipt of further disquieting reports from Consul, Harbin, in regard to the intentions of Semenoff. Department desires information as soon as possible as to the attitude of British Foreign Office in this matter.

COLBY

861.00/7262 : Telegram

The President of the Technical Board (Stevens) to the Secretary of State

HARBIN, *August 20, 1920—8 p.m.*

[Received 10:55 p.m.]

To date we have delivered 44 Japanese military trains Vladivostok; several in transit and 20 are at Manchuria Station; 8 trains, supposedly rear guard, reported to arrive at Manchuria today. Reds following up Japanese evacuation closely and now occupy to Onon River including Chita. Reds have captured 20 Semenoff supply trains and may capture more; his force apparently demoralized and many of his officers are at Manchuria where many [Kappel] men are. All in mess; situation very strained. . . . Good opportunity for trouble but so far nothing serious has occurred. Chinese military holding well but getting very nervous. Semenoff is at Dauria, movements not yet developed. He has many trains west of Manchuria but Japanese passing them apparently leaving them to get out as well as they can. Vladivostok quiet so far.

STEVENS

861.00/7299 : Telegram

The Chargé in Great Britain (Wright) to the Secretary of State

LONDON, *August 27, 1920—11 a.m.*
[Received August 27—12:58 p.m.]

1297. Your 758, July 19, 7 p.m. and subsequent correspondence. British Ambassador, Tokyo, believes it would be difficult to invite Japanese to use their influence with Semenov in sense suggested as Japanese have repeatedly stated they are no longer supporting him and Eliot presumes there could be no question of asking them to resist him by force. He understands Semenov has left Chita and decided to retire to Borgia [*Borzya?*].

British Chargé d'Affaires, Peking, telegraphs his concurrence in opinion of British consul, Harbin, that Semenov appears to have no intention of withdrawing into railway zone, that Chinese authorities are fully aware of situation and that maintenance of sufficient Chinese force at Manchuria Station with instructions to disarm any Russian troops who may attempt to cross frontier into Chinese territory ought to suffice to protect railway zone from invasion.

Foreign Office is therefore inclined to opinion that in view of these recent developments representations as suggested would not serve any useful purpose at this time.

WRIGHT

861.00/7300 : Telegram

The Consul at Harbin (Jenkins) to the Secretary of State

HARBIN, *August 27, 1920—4 p.m.*
[Received 11:54 p.m.]

Semenoff signed an agreement on August 21 with representatives Vladivostok government providing for unification of the two governments under a national assembly. Semenoff surrenders all power except Ataman of Cossacks and commander of troops in Trans-Baikal. He has issued proclamation calling upon all Russians to urge foreign intervention for good of great Russia and says that the people alone have the right to govern and must not submit to dictation of Bolsheviki, Monarchists, or former servants of the Czar. It is too early yet to predict how agreement will work in practice. The opinion local press divided as to the outcome Semenoff's agreement.

JENKINS

861.77/1692 : Telegram

The President of the Technical Board (Stevens) to the Secretary of State

HARBIN, *September 2, 1920—6 p.m.*
[Received September 3—5:08 a.m.]

Japanese evacuation Trans-Baikal completed; all military trains evacuating. [Eighty-one] are now east of concession zone excepting those disbanded Harbin. There are 25 Japanese soldiers Chita, 15 Manchuria, 5 [Hailar?] and about 1,000 Harbin in barracks and 800 on the Chinese Eastern east of Harbin. There are about 600 Japanese railwaymen Harbin in cars many wearing insignia of South Manchurian and Imperial Government Railways; they have been here a week, purpose and destination not yet known. Approximate number of troops evacuated 10,000. Apparently reliable estimates of the number in Trans-Baikal have never fallen below 15,000; these were wrong or they left some behind which I am trying to find out. Only 3,000 have sailed from Vladivostok; large numbers are now going to Habarovsk where the Japanese are fortifying, (and?) preparing winter quarters large force.

STEVENS

861.77/1693 : Telegram

The President of the Technical Board (Stevens) to the Secretary of State

HARBIN, *September 4, 1920—4 p.m.*
[Received September 5—2:30 a.m.]

Apparently reliable information more than 3,000 Japanese soldiers, civilian clothes, remained in Trans-Baikal distributed in small bands in the villages away from the railway; arms hidden. I think 12,000 came out. There are 2,400 in uniform in Harbin and many in civilian clothes and average 50 [peaceful] young men looking like soldiers arrive every day. I have no doubt there are at least 6,000 Japanese soldiers Harbin. Japanese advise the railway officials that the 600 railway men will remain here indefinitely. My cipher telegram July 19, 10 a.m.[69] did not mean that I would remain here indefinitely waiting for negotiations to be concluded; I am much disconcerted by the failure to receive any information that [something definite] is imminent.

STEVENS

[69] Not printed.

861.00/7430 : Telegram

The Consul at Harbin (Jenkins) to the Secretary of State

HARBIN, *September 23, 1920—1 p.m.*
[Received 11:46 p.m.]

Local newspapers report detachment Semenoff troops under Baron Ungern [70] moving toward Verkhnieudinsk frontier which may lead to resumption fighting with Bolshevik forces in Trans-Baikal. Should this occur regular Soviet troops may be sent into north from Irkutsk.

Indications are that Semenoff is not carrying out in good faith his promise to surrender civil control to Zemstvo government. In my opinion radical and other elements opposed to Semenoff will attempt to remove him by military force in the near future . . .

JENKINS

861.00/7601 : Telegram

The Consul at Harbin (Jenkins) to the Secretary of State

HARBIN, *October 27, 1920—5 p.m.*
[Received 9:38 p.m.]

Bolsheviki continue to press Semenoff in Trans-Baikal. Baron Ungern's force is reported to have been cut to pieces and Bolshevik cavalry has been seen on the railway line near Manchuria. Semenoff is said to be at Dauria and in danger of being cut off.

JENKINS

861.00/7740 : Telegram

The Acting President of the Technical Board (Johnson) to the Secretary of State

HARBIN, *November 23, 1920—6 p.m.*
[Received November 24—5:34 p.m.]

Remnants of Kappel–Semionoff army 5000 men defeated by the Partisans escaped into Manchuria where they are disarmed by Chinese army who plan to move them and their implements through Manchuria to that part of the Maritime Province held by Japanese. Semionoff leaving today Manchuria Station under the protection of the Japanese for Harbin. Partisans west of Manchuria respecting Chinese sovereignty and not entering Manchuria. Losses Kappel army past month 9,000 killed and captured. Jurisdiction of Chita

[70] Baron Ungern Sternberg, Russian general in charge of White Russian forces in Mongolia.

government comprises entire Far East except part of the Maritime Province occupied by Japanese forces where the Japanese partially support Vladivostok government. No particular activity by the Japanese in connection with foregoing events. In connection with above Japanese commander-in-chief wires that he is informed that Moscow and Chita governments understanding with the Chinese so that Partisans may enter concession zone, [eliminate] Semionoff and retire beyond border. Chinese to enter into commercial relations with Chita. Commander in chief orders physical occupation of Vladivostok in the event of disorders; orders Maritime Province Cossacks to be ready to occupy line Nikolsk–Pogranitchnaya.

JOHNSON

861.00/7744 : Telegram

The Consul at Harbin (Jenkins) to the Secretary of State

HARBIN, *November 27, 1920—2 p.m.*

[Received 7:30 p.m.]

Indications are that majority of Semenoff Kappel troops at Manchuria Station will disperse and return to Russia as individuals. The rest may be sent through Manchuria to Grodekovo near Vladivostok. Bolshevik troops have withdrawn some distance from Chinese frontier.

JENKINS

ESTABLISHMENT OF THE FAR EASTERN REPUBLIC

Organization of a Revolutionary Government at Verkhneudinsk—Proclamation of the Far Eastern Republic by Delegates from Vladivostok, Blagoveshchensk, and Verkhneudinsk—Strained Relations with the Japanese Authorities in the Maritime Province

861.00/6462 : Telegram

The Consul General at Irkutsk (Harris), temporarily at Vladivostok, to the Acting Secretary of State

VLADIVOSTOK, *February 28, 1920—8 a.m.*

[Received 12:38 p.m.]

22. Referring to Department's February 19, 3 p.m.[71] There is every indication that the Zemstvo government in Vladivostok and other so called Social Revolutionary governments which have sprung up in Siberia between the Bolshevik front and Vladivostok will

[71] Not printed.

shortly lose their autonomy and come directly under the control of Moscow. None of these governments now are anti-Bolshevik but are in my judgment simply awaiting the departure of all foreign troops in Siberia before uniting immediately with the Bolsheviki. Actions of Zemstvo government in Vladivostok in closing three Russian banks and arresting directors and searching their houses as well as other acts which make foreign commerce impossible show that the Zemstvo and other organizations now having local power are preparing themselves by such acts for immediate absorption in the Bolshevik organization the moment independent communication with the west is established.

Kalmikoff [72] has been definitely established [*eliminated?*] in Habarovsk region and it is reported that he is in Harbin although I have no confirmation.

HARRIS

861.00/6480 : Telegram

The Consul at Harbin (Jenkins) to the Acting Secretary of State

HARBIN, *March 1, 1920—1 p.m.*
[Received March 2—3 : 23 a.m.]

Referring to your telegram of February 19, 3 p.m.[73] Such information as can be gathered here indicates Semenoff is trying to place [*win?*] support of Zemstvo and other organizations by promising various reforms such as stopping requisitions, subordinating military to civil authority, and establishing order; but it is not believed that he can accomplish anything, because he is bitterly hated and distrusted by people generally and can not control his own followers.

According to Czech telegrams negotiations in progress at Irkutsk between Social Revolutionaries and Moscow Government looking to establishment temporary buffer state under nominal Social Revolutionary control Eastern Siberia. It is said Bolsheviks favor such a plan because it would save them from coming into immediate direct contact with Japanese and Chinese, but serve as a sort of go-between. Czechs report growing discontent in Central Siberia against Bolsheviki even among the workmen.

JENKINS

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[72] A leader of the Ussuri Cossacks.
[73] Not printed.

861.00/6524 : Telegram

The Consul at Harbin (Jenkins) to the Acting Secretary of State

HARBIN, *March 10, 1920—4 p.m.*
[Received 11:05 p.m.]

According Czech reports new government Trans-Baikal to be formed at Verkhneudinsk with representatives from Irkutsk, Center and certain local Zemstvos leaders. Selenga River western border. Bolsheviki said to favor movement which will work with Vladivostok government. Voizechovski who [apparent omission] remnant Kappel army has largely supplanted Semenoff. He is reported to have informed Vladivostok government he will not make peace with Bolsheviki. Semenoff representatives, Harbin, continue sending men in small groups to join Semenoff or Voizechovski. Chinese customs authorities seized $105,000 gold coin from wife of Semenoff passing through Harbin. Czechs report Soviet regular army occupied Irkutsk 7th.

JENKINS

861.00/6672 : Telegram

The President of the Technical Board (Stevens) to the Secretary of State

HARBIN, *March 29, 1920.*
[Received April 2—5:15 a.m.]

[From Smith:]

March 29, 6 p.m. Chita. Colonel Blunt [74] arrived at Chita to-day. I read to him my past telegrams about the Reds. He fully concurs and adds following: Reds treated them very well. All illiterate under 35 years must attend school 2 hours daily, upon taking town inhabitants must clean streets and railways, women work 1 hour to show willingness, towns clean, no one allowed to live in cars, food situation improving everywhere, nullification of money caused some trouble soon adjusted, none of the reports about peasants fighting Reds true. Reds anxious to make working agreement with America and to obtain supplies, also that America send some one to study conditions in Russia. Blunt says leaders honest, industrious, businesslike in their methods and have confidence of all classes except speculators. . . . Smith.

STEVENS

[74] Of the Russian Railway Service Corps, detained by the Bolsheviks west of Irkutsk; see telegram of Jan. 20 from the Consul at Harbin, p. 530.

861.00/6874 : Telegram

The Ambassador in Japan (Morris) to the Secretary of State

TOKYO, *May 6, 1920—8 p.m.*
[Received May 6—6:25 a.m.]

219. My 214, May 4, 9 p.m.[72] It is reliably reported that the Cabinet, at a meeting on May 4, decided to support the provisional government in the Maritime Province and give it effective power in the hope that it might serve as a buffer state against Bolshevism and render possible the evacuation of the Japanese troops. Press comment[s] on the subject of a buffer state in Eastern Siberia have been greatly stimulated of late by the reports of the *Nichi Nichi* correspondent in Moscow who alleges that in interviews given him by the diplomatic authorities, they expressed themselves favorable to such a project. The general tenor of the comments is that the scheme cannot be realized.

MORRIS

861.00/6897 : Telegram

The Consul at Vladivostok (Caldwell) to the Secretary of State

VLADIVOSTOK, *May 12, 1920—2 p.m.*
[Received 8:10 p.m.]

151. Yesterday General Oi issued proclamation, by means of large posters, of which following is summary:

"Referring to propositions made by Soviet representatives in Irkutsk, for a separate state in Eastern Siberia, with a view to keeping troops of Soviet, Japan and Partisans in present areas and preventing hostilities, it is announced that Japan has no territorial ambitions in Siberia, sympathizes with Russians in Eastern Siberia and hopes for early restoration of order.

Recent action of Japanese military[73] was self defense due to the hostile action of Partisans. Japan cannot permit in country in close geographical relations with its own territory any political organization that defies humanity and attempts to disturb peace of the world. In view of the early completion repatriation Czech troops,[74] Japanese military wishes express its readiness for military evacuation of Siberia when conditions Far Eastern Russia re-adjusted to stable status, menace to Korea and Manchuria removed, and life and property of Japanese civil population guaranteed. Japanese command will not support any Russian faction and hopes for such consummation soon and will be pleased by establishment of such form of

[72] Not printed.
[73] See pp. 504 ff.
[74] For papers dealing with the evacuation of the Czechoslovak forces, see pp. 561 ff.

government as meets with approval of people. Resumption economic relations also desired to relieve Russian suffering. To attain above it is necessary to have neutral zone between Japanese and Russian forces at Chita after which creation of unions, the basis Eastern Russian autonomy, may be expected with which Japanese will not interfere. When political affairs make possible such arrangement Japanese military command will congratulate itself upon arrival of time for its military evacuation. In this, Japanese military, Government, and people agree and it is hoped Russian population will also concur.

Nevertheless action Russian forces at Nikolaevsk was very regrettable, small Japanese force being exterminated, consul killed and many Japanese civilians killed or unspeakably humiliated,[75] all of which has made a great impression upon the Japanese people. It is proper that this affair should be regarded as a separate issue and settled separately."

Before giving publicity to information contained in telegram from Ambassador Morris stating that the United States has made no agreement regarding Eastern Siberia since 1919,[76] I called on Mr. Matsudaira and informed him of contents of statement. He said that newspaper accounts of interview with him were not strictly correct and that deductions drawn by newspapers were not in accordance with impression he had intended to convey but that he had not attached sufficient importance to them to issue denial or correction. Repeated to Tokyo and Peking.

CALDWELL

861a.01/—: Telegram

The Chargé in China (Tenney) to the Secretary of State

PEKING, *May 18, 1920—5 p.m.*
[Received May 18—2:45 p.m.]

110. A telegram from Verkhnieudinsk announces the organization of the Far Eastern Republic. A. M. Krasnoshchekoff minister for foreign affairs, N. Paltova secretary of government. A constituent assembly is stated to be in session at Verkhnieudinsk. The constituent assembly proclaims:

1. The territories of Trans-Baikal, Amur, Primorskaia, Sakhalin, Kamchatka and the right of way of the Chinese Eastern Railway to be an independent state under republican form of government.
2. Democratic liberties guaranteed to all classes of society.

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[75] See pp. 514 ff.
[76] See telegram no. 172, May 7, to the Ambassador in Japan, p. 513.

3. Representatives to be elected of all political parties and nationalities living upon the territory of the republic. A constitutional convention to be assembled.
4. Amnesty promised to the soldiers of Kolchak and Semenoff if they lay down arms. Capital punishment abolished.
5. All governments requested to send official representatives.

The provisional government states the necessity of:

1. The Red Army of the Russian Soviet Government cease eastern march at an agreed point.
2. That no aid or support be given by any foreign country, especially by the expeditionary forces of Japan, to the remnant of the reactionary forces concentrated at Chita.

[3.] That the road be opened for the new government to enter Chita.

4. That friendly relations be at once established between the republic and the Allied Powers.
5. That foreign expeditionary forces leave the country.

. . . . . .

TENNEY

861.00/6947 : Telegram

The Consul at Vladivostok (Caldwell) to the Secretary of State

VLADIVOSTOK, *May 29, 1920—4 p.m.*
[Received May 30—10:35 a.m.]

180. Department's telegram May 26, 12 a.m.[77] Man in question spells name in English "A. Krasnoschokoff." He was in Vladivostok during the Soviet regime in 1918 when he was interviewed by Consul Douglas Jenkins. From here he went to Habarovsk and Blagovestchensk and after Czechs overthrew soviet here he disappeared in the Amur district until recently when he reappeared as minister of foreign affairs of peoples revolutionary government in Verchneudinsk. He formerly practiced law in Chicago under the name of Tobelson.

I have just received from former British Acting High Commissioner, Hodgson, letter written in English dated Verchneudinsk April 1920 signed by Krasnoschokoff over the above mentioned title addressed to the British High Commissioner, Lampson, enclosing English and Russian text of declaration of constituent convention of the above government a copy of which I am forwarding by mail.[77] This document emphasizes the necessity for the formation of a buffer state including all Russian territory east of Baikal and appeals for

[77] Not printed.

opening of strictly economic negotiations to the Governments of the United States, Great Britain, Japan, China, France, Italy, Russian Socialist Federated Soviet Republic and all governments and nations of the world.

Changes are being made in members of Zemstvo provisional government here which will be improvement and prospect now appears good for actual formation of a single buffer state east of Baikal combining governments now existing here, at Verchneudinsk and at Blagovestchensk provided Semenoff at Chita can be eliminated or brought into line which can only be accomplished by the Japanese Army. A few days ago former Kalmikoff officers arrested militia in Spasskoe, a small town on the railroad about 350 miles north of Vladivostok, and attempted to start new provisional government but were later disarmed by the Japanese. Rumors of similar attempt here have been current recently and some arrests have been made as a preventive measure while the Japanese have announced that they will disarm any persons attempting to overthrow present provisional government by force. Repeated to Tokyo and Peking.

CALDWELL

861a.01/6 : Telegram

The Chargé in Japan (Bell) to the Secretary of State

TOKYO, *June 4, 1920—4 p.m.*
[Received June 4—3:15 p.m.]

283. My 263, May 24, 3 p.m.[78] Vernacular press reports confirmation by Advisory Council of Ministers Cabinet's decision to withdraw Fifth Division from Chita to Manchouli. It is further reported that announcement to this effect will be made prior to the convening of the Diet on June 29 which points to the possibility that the Government's decision has been influenced by anticipation of hostility to its Siberian policy in the House of Peers.

The Vice Minister of Foreign Affairs told me this morning that in his personal opinion the Verkhneudinsk government would not develop into an effective government but that if it did the Japanese Government would be prepared to recognize it. He also said that the Verkhneudinsk government had asked the Japanese military command in Siberia to enter into negotiations with it but that up to the present no action had been taken.

BELL

[78] Not printed.

861a.01/10 : Telegram

The Consul at Vladivostok (Caldwell) to the Secretary of State

VLADIVOSTOK, *June 15, 1920—9 a.m.*
[Received 11:15 a.m.]

199. Copies Tokyo, Peking. Department's telegram June 11, 1 p.m.[79] Vladivostok provisional government recognizes Far Eastern Republic at Verkhneudinsk and their relations are good. Both announce desire for union as soon as Semenoff barrier removed but no mention so far of terms on which this could be effected.

CALDWELL

861a.01/11 : Telegram

The Consul at Vladivostok (Caldwell) to the Secretary of State

VLADIVOSTOK, *June 15, 1920—3 p.m.*
[Received 5:54 p.m.]

200. Under orders of Vladivostok Zemstvo provisional government election was held June 13 for members of "pre parliament" which is to meet here June 17 to draft constitution, prepare budget and enact any legislation considered necessary in preparation for Far Eastern Republic, expected to include all Russian territory east of Baikal. Fifty members are expected by beginning first session duration of which is not fixed; dissolution may be effected either by parliament or by Vladivostok Zemstvo government

Representatives are expected from Verkhneudinsk government which Medvedieff, president Vladivostok government, stated today he regards as practically part of the same government temporarily forcibly separated by Semenoff and parts of which will unite, with perhaps some slight alterations in each but without either becoming subservient to the other, as soon as Semenoff obstacle removed.

Parliament will have about 200 members 175 of whom are elected in proportion to population, one from each township and from each city a member [*number*?] equal to half the city council whose size is in proportion to population. Vladivostok will have 25 members of which Communist-Socialist Party has elected 20, Progressive Democrats (mostly former Cadets) 4 and Social Revolutionists 1. Blagovestchensk is expected to show similar result but it is not thought this will be true of Habarovsk and country districts. Remaining 25 are to be selected 10 from organized labor, 10 from commercial class, and 1 from each of the five Socialistic parties, the Anarchists

[79] Not printed.

and Maximalists having declined to be represented. On account of small population Kamchatka and Saghalin are allowed only one representative each.

As will be seen powers and functions of socalled parliament are very vague but it is possible that it may be a permanent step forward in Russian government. Repeated to Tokyo and Peking.

CALDWELL

861a.01/12 : Telegram

The Consul at Vladivostok (Caldwell) to the Secretary of State

VLADIVOSTOK, *June 21, 1920—4 p.m.*
[Received June 21—3 : 21 p.m.]

208. Referring to my telegram June 15, 3 p.m. First meeting of "Far East Peoples Assembly" held yesterday evening attended by 113 delegates, made preliminary organization and adjourned until tomorrow without disorder. Medvedieff president Zemstvo provisional government here announced to meeting that his government is at disposal of assembly and if not wanted will at once give up all except purely Zemstvo functions.

City quiet, street car and electric light service partially resumed last week for the first time since Japanese affair of April 4th.

New money beginning to be accepted and I could get only 20 new roubles for dollar today in spite of reports of 15 being offered for yen. Repeated to Tokyo and Peking.

CALDWELL

861a.00/2 : Telegram

The Minister in China (Crane) to the Secretary of State

PEKING, *October 4, 1920—8 p.m.*
[Received October 4—3 : 50 p.m.]

294. Yourin [80] announces declaration Far Eastern Republic at joint meeting Amur, Vladivostok and Verkhneudinsk delegations, declares the united government recently established enjoys support and disinterested help of Mother Russia, declares for peoples constitutional assembly, institution of private ownership, taxes modified and no concession of territory [to] foreign powers. Government will call upon Russian and foreign capitalists to develop country. Full report by mail.[81]

CRANE

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[80] Representative of the provisional government at Chita.
[81] Not printed.

861.00/7577 : Telegram

The Consul at Vladivostok (Macgowan) to the Secretary of State

VLADIVOSTOK, *October 24, 1920—1 p.m.*
[Received October 24—11:12 a.m.]

62. Telegram from Schreiber press agent Chita announces that Semenoff forces retiring. Evacuated the city 21st and the Partisans occupied 23rd. Incidental disorders have been suppressed, popular assembly assumed charge, appointed Luchs commander-in-chief. Verkhne-Udinsk, Amur, Nerchinsk and Sakhalin delegates *en route* to Chita. Vladivostok urged to send delegates at once, question will be considered 25th.

Nikiforoff and Tobelson seem to have organized the movement though Bolshevik newspaper reports denying the statement. Informing Tokyo, Peking.

MACGOWAN

861.00/7905 : Telegram

The Consul at Vladivostok (Macgowan) to the Acting Secretary of State

VLADIVOSTOK, *December 31, 1920—6 p.m.*
[Received December 31—2:55 p.m.]

129. I am confidentially informed the Japanese regard armed conflict with Bolsheviki unavoidable and near. Japanese intelligence service reports between fifty thousand, sixty thousand Bolshevik troops between Habarovsk and Iman. Japanese aeronauts photographed Bolshevik fortified positions across the Iman [*Carel?*] River which are reported to be strong. The Japanese plan to retire to their Spasskoe fortifications reoccupying Habarovsk later . . . Conflict doubtless will be accompanied by establishment Conservative groups here . . .

. . . . . .

MACGOWAN

861.01/285

The Consul at Harbin (Jenkins) to the Acting Secretary of State

No. 378

HARBIN, *January 21, 1921.*
[Received February 21.]

SIR: With reference to the Department's telegram of December 31, 3 p.m.,[83] instructing me to submit a report covering recent events

[83] Not printed.

in Eastern Siberia, especially in relation to the governments of Chita, Blagovestchensk, Verchne-Udinsk and Vladivostok, I have the honor to submit the following:

With the collapse of the Kolchak government early in January, 1920, Ataman Semenoff, who had been pursuing a more or less independent course at Chita, declared himself the successor of Admiral Kolchak and undertook to form a government. Simultaneously, provisional governments were formed at Vladivostok and Blagovestchensk. The Verchne-Udinsk government was not organized until a few months later, probably in April. It was really an offshoot from the Bolshevik "center" at Irkutsk.

The Semenoff, or Chita, government was controlled by army officers and reactionary leaders. The Vladivostok government was formed from the provisional zemstvo board and though extremely radical was not Bolshevik. The Blagovestchensk government was practically Bolshevik, although composed of socialist revolutionaries and members of other parties in addition to communists. A more or less independent municipal administration existed at Habarovsk for some time but this was nominally under the Vladivostok government.

By the end of 1920, the Semenoff government had ceased to exist and the Verchne-Udinsk organization had been moved from that city to Chita. The Vladivostok and Blagovestchensk governments were still functioning but had been subordinated in a great measure to the former Verchne-Udinsk government which, under the protection of Moscow, had assumed control of all Far Eastern Siberia and styled itself the Far Eastern Republic.

The Chita Government (Semenoff's)

The presence of some ten thousand Japanese troops in the Trans-Baikal enabled Ataman Semenoff to maintain himself at Chita after the collapse of the Kolchak government. His position was also strengthened by the arrival early in February of the so-called Kappel Army, about fifteen thousand effective troops, who fought their way through Siberia to Chita and formed a combination with the Semenoff organization.

Although various ministers were appointed by Ataman Semenoff and an effort made to create a regular government, the Ataman remained under the control of incapable reactionary politicians, with the result he failed to win the confidence of the people in the Trans-Baikal district and never succeeded in securing recognition of any sort from outside. The Japanese government undoubtedly gave him its support for a time, but this was gradually withdrawn and ceased entirely with the evacuation of the Japanese forces from the Trans-Baikal towards the end of August.

In the meantime, Ataman Semenoff had opened negotiations with the Vladivostok authorities with a view to forming a united government. . . .

As was anticipated, Semenoff failed to reach any understanding with Vladivostok and with the withdrawal of the Japanese forces in August the Verchne-Udinsk government, through so-called independent partisan troops, began a vigorous offensive. The Semenoff forces were gradually driven towards the Manchurian frontier. Chita was abandoned and other towns along the railway line in quick succession. By the end of November the Semenoff forces had been driven out of the Trans-Baikal onto Chinese territory and the Semenoff government had ceased to exist. The remnant of the army, about ten thousand men, was transported by the railway across Manchuria into the territory around Vladivostok and the so-called Verchne-Udinsk government found itself in complete control of the Trans-Baikal.

The Vladivostok Government

As soon as it became definitely known that the Kolchak government had gone to pieces in Central Siberia, the troops under the command of General Rosanoff, the military governor of Vladivostok, began to desert and in a few days the general found himself without support. His officers left him and the city fell into the hands of a temporary government formed by members of the provisional zemstvo board. There was little or no fighting.

Although extremely radical this government was not a Bolshevik one. Medvyedieff, its president, evidently desired to win the sympathy and support of the allied powers, including Japan. With this object in view he exerted all his influence to prevent the Bolsheviks securing control. It soon became evident, however, that the Medvyedieff government was lamentably weak. The reactionary parties were opposed to it on the one hand and the Bolsheviks, who were undoubtedly very numerous in Vladivostok, continually pressed for the introduction of Bolshevik measures such as the confiscation of land, the monopoly of trade, etc.

. . . . . .

In June a meeting of the popular assembly took place. Among other things the assembly voted to enter into negotiations with other governments in Eastern Siberia with a view to uniting under one single organization. The Vladivostok government occupied more or less middle ground in a political sense and the negotiations moved slowly. On the one hand it had to deal with the reactionary Semenoff at Chita, and on the other with the radical governments at Blagovestchensk and Verchne-Udinsk.

It was about this time that the Verchne-Udinsk government began to proclaim itself the predominant government in Eastern Siberia and to demand that the others submit themselves to it. This position was resisted by Vladivostok until Semenoff was eliminated and a union with the Verchne-Udinsk government (which had in the meantime been transferred to Chita) was effected. The plans for this unification had not been entirely worked out by the end of 1920, but had become more or less effective, although the Vladivostok government was still showing some disposition occasionally to resist carrying out all of the orders issued from Chita. In the meantime, however, the Vladivostok government had fallen more and more under the control of the communists.

The entrance of the remnants of the Semenoff army into Vladivostok territory by way of the Chinese Eastern Railway was an unexpected complication toward the end of the year. The position of the government continues obscure and uncertain. The presence of the Japanese troops prevents any overt act, but it would appear that the condition cannot long remain unchanged; either the communists will come into complete and open control (provided the Japanese permit it) or there will be a *coup d'état* by the Semenoff troops who are now scattered along the railway from Grodekovo to Nikolsk.

The Blagovestchensk Government

Although Japanese troops were stationed along the Amur railway at an early period in the Kolchak administration they maintained themselves with the greatest difficulty, being subjected to almost constant attacks by partisan bands. When the Kolchak government collapsed the withdrawal of the Japanese troops along this line began immediately, Habarovsk being selected as a point of concentration.

This left the Bolsheviks free to carry out their ideas in the Pri-Amur territory. It was then that the Blagovestchensk government sprang into being. This government was headed by a communist called Trelisser and associated with him were Vlasoff, a social-democrat, and another communist by the name of Tzelik.

Not hampered to any extent by Japanese interference and being in close touch and sympathy with the Bolshevik authorities in Western Siberia, the Blagovestchensk government immediately introduced the soviet system, though in a somewhat limited form. From the first its leaders seem to have been cognizant of the desire on the part of the Moscow government to organize a buffer state in Eastern Siberia which would not be entirely soviet in form, the idea being that through this buffer state Russia would be able to come into touch with the outside world.

The Blagovestchensk government has never showed any ambition to be an independent state and as soon as it could come into direct contact with the Verchne-Udinsk leaders it submitted itself to that government. It has now ceased to be a separate organization but is merely a local administration controlled from Chita. Trelisser remains at its head as an emissary of the Chita (formerly Verchne-Udinsk) government.

The term emissary seems to indicate the development of a new type of official in the Bolshevik organization. Formerly everything was done through commissioners or commissars, but now, at least so far as eastern Siberia is concerned, commissars seem to be rather inferior persons who are detailed to work with the troops and laboring classes as communist exhorters or agitators, while the duties of governing are assigned to emissaries, or emissars as they are known in Russia.

The Verchne-Udinsk (now Chita) Government

It will be recalled that when Admiral Kolchak reached Irkutsk, where he met his death, that city had already fallen into the hands of a revolutionary government supposed to be controlled by the socialist revolutionary party. It was not long, however, before the socialist revolutionaries disappeared from the scene and the Bolsheviks appeared as the real masters of the situation. A so-called "political center" was organized at Irkutsk and Jansen, who had formerly been in control there in the early days of the Bolshevik government, returned and resumed control.

With the arrival of the Kappel army in Chita the territory between Irkutsk and that city was occupied by the Bolsheviks and the outer world began to hear for the first time of the Verchne-Udinsk government. This organization was headed by Krasnoschekoff. It will be recalled that Krasnoschekoff was the president of the so-called Far Eastern Soviet at Habarovsk in the summer of 1918. The idea of a buffer state seems to have originated with him, for he brought forward this plan even as far back as 1918.

Krasnoschekoff was reported to have been captured and executed by the Czechs but like most reports of this sort it proved to be untrue. He evidently succeeded in escaping from Habarovsk and managed to work his way into Central Siberia where he reappeared as soon as the Kolchak government fell.

In spite of the fact that the Verchne-Udinsk government controlled practically no territory and was the latest arrival in the field it began almost immediately to assume an attitude of superiority over the other Far Eastern governments. Through the influence of

Krasnoschekoff a vigorous propaganda was begun in favor of a "buffer state" in Eastern Siberia with the Verchne-Udinsk government as its center. The telegraph line from Verchne-Udinsk to Peking was utilized in the furtherance of this project.

The outside world was informed that the Verchne-Udinsk government was a democratic one, that it was independent of Moscow, that it was humane in its treatment of former Russian officers and reactionaries, and that it would respect the rights of foreigners and their properties.

At the same time a vigorous military offensive was opened against Semenoff in Chita. The Verchne-Udinsk authorities insisted that no regular Bolshevik troops were engaged in the Trans-Baikal but this was proved to be untrue, reports being received from reliable sources to the effect that a considerable number of regular Bolshevik soldiers were actually brought into the Trans-Baikal region and engaged in military operations against Semenoff.

In June, when it had been decided that the Japanese army was to be withdrawn from the Trans-Baikal, the Japanese authorities entered into negotiations with Verchne-Udinsk with a view to an armistice which would include the Semenoff troops and establish certain neutral zones. An agreement is understood to have been signed and the Japanese evacuation began.

It was at the same time that negotiations between the Verchne-Udinsk government [and the government] at Vladivostok started, negotiations which revealed decided differences between the Verchne-Udinsk policy and that of the Vladivostok government. Under pressure from the Japanese the Vladivostok government was inclined to be decidedly the more conservative and took the position that Ataman Semenoff could be disposed of without a resort to arms, pointing out that the Kappel troops were in no sense in sympathy with Semenoff and could probably be incorporated in the army of the new buffer state.

On the other hand, the Verchne-Udinsk representatives absolutely refused to compromise in any way with Semenoff and continued operations through so-called partisan bands, although the government insisted that its regular army had no part in the fighting. Chita was taken in October and the Verchne-Udinsk government was immediately transferred to that city. Fighting continued, however, until Semenoff was forced into Chinese territory.

Shortly after the fall of Chita representatives from Vladivostok and Blagovestchensk arrived in that city and a program for the government of the buffer state, which was to be known as the Far Eastern Republic, was mapped out and in a measure adopted. Krasnoschekoff became the president of the council of ministers and min-

ister for foreign affairs, and another communist, Kozhevnikoff, was made minister of communications. Rumiantzeff, a peasant, also became a member of the government.

The representatives from Vladivostok, who were of the moderate socialist parties (Kabtzan, Binasik and Trupp) declined to enter into the buffer state government on the ground that their proposal to create a representative parliament to function until a constituent assembly could be called had been overruled. However this did not prevent the Chita government from undertaking to carry out its program and it was decided that an election for a constituent assembly should take place on January 25. In the meantime there was to be no temporary popular assembly.

As pointed out elsewhere in this dispatch, the Vladivostok and Blagovestchensk governments have become mere organs for local administration and are more or less subject to the present Chita government. In Vladivostok the popular assembly has been retained but it has not convened since the first of December. The head of the provincial administration is Antonov, a communist. In other words, the Vladivostok government has become so modified and its complexion changed to such an extent that it is now to all intents and purposes under the control of the Chita administration. In Blagovestchensk the local administration, as already explained, is headed by the local emissary Trelisser, a communist.

Not only in the Chita government but in the local administrations at Vladivostok and Blagovestchensk as well, the actual control is in the hands of the communist or Bolshevik party. There are, however, in all of these governments representatives from some of the other political parties. In the recent elections in Blagovestchensk the communists barely secured a majority. In Vladivostok, however, they were more successful. The results of the election on January 25 for the constituent assembly are being awaited with some interest. It is believed, however, that the communists will see to it that a majority of their party is returned, and that there will be little or no change in the present policy of the government.

Although the government of the Far Eastern Republic is seeking to create the impression that it is independent of Moscow it is undoubtedly but an offshoot of the central Bolshevik administration. It is understood that officially there are no soviets in the territory of the Far Eastern Republic. On the other hand, from what can be gathered, the administration is carried on in a manner which amounts to the same thing.

As yet there has been no wholesale confiscation of private property, but recent steps rather indicate that something approaching confiscation may be expected. The government appears to be determined to monopolize foreign trade. But little has been heard of acts of terrorism in recent months and it may be that a more liberal policy is being adhered to in this respect. It should be borne in mind, however, that there has been little or no communication and reports coming to Harbin from the Trans-Baikal and other provinces in Eastern Siberia are not entirely to be relied upon.

I have [etc.] DOUGLAS JENKINS

EVACUATION OF THE CZECHOSLOVAK FORCES

Instructions to the American Members of the Russian Railway Service Corps Not to Withdraw from Siberia until the Czech Evacuation is Assured—Arrival of All Czechoslovak Troops in Vladivostok

861.77/1312 : Telegram

The Consul at Vladivostok (Macgowan) to the Secretary of State

VLADIVOSTOK, *January 19, 1920—3 p.m.*
[Received January 24—11:45 p.m.]

17. Smith [83] sends following:

"Telegram received from the Czech Chief of Staff, Irkutsk, by Girsa,[84] reports as follows:

Poles have surrendered to the Bolsheviki. Czech rear guard now 700 versts west of Irkutsk and 16,000 Czechs have not yet arrived there, but all are expected to arrive there within a month and here within three months as Cheremkhovo coal mines are working. Fifth Bolshevik Army Commander at Tomsk promised transportation home if the Bolsheviki [*Czechs*] surrendered with arms and all Russian property, including gold and gave up Kolchak, but the Czechs refused. Irkutsk Socialist Revolutionary government holds Kolchak prisoner. This government considered weak and unable to withstand Bolsheviki.

Czechs and Allies here think Committee and Technical Board should operate railway until evacuation completed. This depends on action of the Japanese, but if possible should be done. Repeated to Morris."

MACGOWAN

[83] American representative on the Inter-Allied Railway Committee.
[84] Václav Girsa, political representative of the Czechoslovak Army in Siberia.

861.00/6311 : Telegram

The Consul at Vladivostok (Macgowan) to the Secretary of State

VLADIVOSTOK, *February 1, 1920—3 p.m.*
[Received February 7—4 : 51 p.m.]

41. The following from Smith :

"On January 31st the Committee unanimously asked me to go into Siberia and have given me power as shown in the following quotation : [83]

["] The actual circumstances of the evacuation of Czechs make necessary the adoption of measures which can only be decided on the spot and whose execution must be immediate. In accord with General Janin [84] the members of the Committee unanimously consider that in order to do this most effectively it is indispensable now to have with Janin who has charge of evacuation one of their own representatives with full power to act. The Committee for this purpose have selected one of their members C. H. Smith and delegate officially and expressly to him full powers of the Committee. This letter accredits him with such powers to all Russian and foreign authorities ".

This action is taken in response to a frantic telegram that something must be done. British, French and Czech representatives called on me 30th asking me to accept this duty. In a consultation with General Graves who agreed to the necessity therefor, I accepted when the Committee unanimously asked me to do so. The main reason for this is that the Committee felt that in view of the extreme difficulties surrounding the evacuation they must delegate their powers to one man who would work in entire harmony with Mr. Stevens. Also it seems Janin and the Czechs do not accord well with the Russians and Japanese military.

I shall leave as soon as transportation is arranged. After my departure the Committee's work will only be of a local character and General Graves who is thoroughly acquainted with it has kindly consented to act for me. Repeated [*repeat*] to Washington."

MACGOWAN

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[83] The minutes of the Inter-Allied Committee for Jan. 31, 1920, indicate that Mr. C. H. Smith was unanimously requested to proceed to Trans-Baikalia, but that action on the text of his instructions was postponed. In the resolution agreed upon on Feb. 4 the reservation was made that in case extraordinary measures were necessary he should if possible refer the matter to the Committee for instructions. The date for his departure was fixed for Feb. 6. (File no. 861.77/3304.)

[84] Of French Army; Commander in Chief of Allied forces west of Lake Baikal.

861.77/1342 : Telegram

The President of the Technical Board (Stevens) to the Secretary of State

HARBIN, *February 2, 1920—4 p.m.*
[Received February 8—6:42 p.m.]

On account of limited transportation General Graves urging that the members of Service Corps be sent as soon as possible. My understanding is that they are to remain as long as they can be of aid in the evacuation Czechs. Please advise; they are certainly needed.

STEVENS

861.77/1342 : Telegram

The Secretary of State to the President of the Technical Board (Stevens)[85]

WASHINGTON, *February 9, 1920—5 p.m.*

Your February 2, 4 p.m. Members of Service Corps are not to withdraw before successful evacuation of Czechs unless, in your opinion, extraordinary conditions arise which warrant changing Department's policy in this matter.

LANSING

763.72114/5247a

The Acting Secretary of State to the Czechoslovak Chargé (Masaryk)

WASHINGTON, *February 17, 1920.*

MY DEAR MR. CHARGÉ D'AFFAIRES: Referring to the views of the Treasury Department expressed on January 9, and also to the conference with Assistant Secretary Long of this Department on December 30, at which you were present, together with General Hines and Mr. Kelley of the Treasury, and at which was discussed the repatriation of the friendly contingents now in Siberia, you will recall that a question was raised as to what troops were to be considered as available for repatriation. I am informed that it is the understanding of the United States Treasury that troops available for repatriation include not only those now in Vladivostok, but the entire contingent of friendly troops now in Siberia heretofore reported as being 72,000 which, in accordance with the decision of the Supreme Council, are to be moved to Vladivostok in the com-

[85] Via the consulate at Harbin.

paratively near future. It is to be hoped that, in accordance with the decision of the Supreme Council, the whole contingent of 72,000 friendly troops now in Siberia will be moved to Pacific ports of embarkation at such times and in such numbers as will keep both our shipping assigned to this work and the British shipping so assigned, fully engaged. However, if in actual practice, this is not possible, it follows that American shipping cannot be held indefinitely at Pacific ports waiting to receive troops, and, therefore, in this contingency it would have to be withdrawn and our obligations in the premises, financial or otherwise, considered as fulfilled. I understand that the British and French authorities have been advised accordingly, and that this information has also been communicated to General Janin.

In this connection I may add, the Treasury Department has advised that it is prepared, in order that the contingency last above mentioned may be avoided, to assent to your Government providing funds out of the credit of $12,000,000 arranged by it, for the repatriation of Polish, Jugo-Slav or Roumanian troops available for repatriation, provided the total number of troops whose repatriation is provided for out of this credit does not exceed fifty per cent of the total strength of the Czecho-Slovak, Polish, Jugo-Slav and Roumanian contingents in Siberia available for repatriation, and does not exceed 36,000 men. To the extent that funds are provided by your Government against this credit for repatriation of Polish, Jugo-Slav or Roumanian troops, it is assumed that the British Government would receive obligations from the respective governments of such troops to cover the repatriation of a corresponding number of troops of your Government. It is, of course desirable, if practicable, that there should be available for repatriation in our ships enough Czecho-Slovak troops within the limitations already mentioned to make use of the full capacity of the American ships, in order that the complications consequent upon carrying out the above-mentioned suggestion may not arise.

I am [etc.] FRANK L. POLK

861.00/6482 : Telegram

The Consul General at Irkutsk (Harris), temporarily at Vladivostok, to the Acting Secretary of State

[Extract]

VLADIVOSTOK, *February 22, 1920—3 p.m.*

[Received March 2—5 : 11 a.m.]

12. The Czechs have signed an armistice with Bolsheviki at Irkutsk which contains following definite clauses. This armistice

has been confirmed by General Checkeck [*Čečekʔ*] in Vladivostok. Clause 5 states that the Czechs are not to interfere with the orders of the Soviet government in reference to all the arrested members of the Kolchak government. Clause 6 states that the gold funds which belonged to the Russian Soviet Federal Republic under no circumstances be transferred to the east, that they must be left in Irkutsk and guarded by a mixed guard of Czech and Russian troops, and must be transmitted to the Irkutsk regiment when the last Czech regiment shall leave Irkutsk. Clause 7 states that the Czech troops take upon themselves the obligation to remain neutral as concerns all detachments of troops of the former Kolchak government which are acting against the Soviet government and must give them no assistance whatever.

. . . . . .

HARRIS

861.00/6508 : Telegram

The President of the Technical Board (Stevens) to the Acting Secretary of State

HARBIN, *March 7, 1920—8 p.m.*
[Received March 7—12 : 28 a.m.]

Last Czech troops left Irkutsk February 25, 6 p.m. Last Czech allies including Servians, Rumanian, Poles, left Irkutsk March 3, 6 p.m. There are 82 Czech and Czech-Allied trains now on Trans-Baikal to be evacuated which may be increased by allotting fewer soldiers to each car. We are trying to evacuate three trains per diem from the Trans-Baikal.

STEVENS

861.77/1452 : Telegram

The President of the Technical Board (Stevens) to the Secretary of State

HARBIN, *April 5, 1920—6 p.m.*
[Received April 5—3 : 45 p.m.]

Czech authorities desire to decorate some members of Service Corps in recognition of their efficient work evacuation. Is it permissible under the rules of service? If possible should be allowed as without their work evacuation would be much more difficult to accomplish.

STEVENS

763.72114/5323 : Telegram

The Consul General at Irkutsk (Harris), temporarily at Vladivostok, and the Consul at Vladivostok (Macgowan) to the Secretary of State

VLADIVOSTOK, *April 9, 1920—10 a.m.*
[Received April 10—5 p.m.]

104. . . .

Of the 32,000 Czechs remaining to be repatriated by us 26,000 are now in Vladivostok. Ships now provided and nearing Vladivostok will take only 18,000. It is possible that part of the Czech force may have to be repatriated through Dairen on account of interruption on the railway.

I recommend Department's immediately consulting British Government in order to expedite complete evacuation of the Czechs.

Referring to Department's telegram April 5, 6 p.m.[86] Total number to be evacuated at to-day's date as follows: Czech-Slovaks 47,735, Poles 2,150, Letts 1,350, Serbs 1,500, Roumanians 2,800, total 55,535. To these must be added Polish and Serbian prisoners to be released 11,000, Roumanians 4,000, Polish workmen 800, grand total 71,335.

Although there may be considerable delay before the arrival of the 15,800 Polish and Roumanian prisoners who will be repatriated by the British Government, it is urgently recommended that the original quota of 36,000 Czechs be evacuated by the United States at the earliest moment possible.

HARRIS
MACGOWAN

861.77/1452 : Telegram

The Secretary of State to the President of the Technical Board (Stevens) [87]

WASHINGTON, *April 9, 1920—4 p.m.*

Your April 5, 6 p.m.

Department perceives no objection to the presentation by Czech authorities of decorations to members of the Russian Railway Service Corps.

COLBY

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[86] Not printed.
[87] Via the consulate at Harbin.

861.00/6767 : Telegram

The President of the Technical Board (Stevens) to the Secretary of State

HARBIN, *April 15, 1920—1 p.m.*
[Received 5:25 p.m.]

All the Czechs and other Allied forces to be evacuated are now Manchuria Station and east of there. With no serious interruption we hope to get them all Vladivostok in 30 days if the ships are there to take them. There will be about 110 members of Service Corps to be sent home. What arrangements have been made or will be made for their transportation as it is understood the army has all gone?

STEVENS

861.00/6774 : Telegram

The Consul at Vladivostok (Caldwell) to the Secretary of State

VLADIVOSTOK, *April 15, 1920—4 p.m.*
[Received April 17—2:45 a.m.]

111. [From Smith:]

Arrived here 14th with Czech General Syrovy. Am informed last Allied train is now in Manchuria. Regarding Czech evacuation, I desire to state that this has been accomplished by the Czechs themselves and the Reds who aided in every way possible. In a telegram I sent you through General Graves, I stated that Reds promised not to provoke an attack on Japanese until Allied evacuation completed. This has been carried out to the letter. . . . Railway from here to Pogranichnaya is in bad shape now but Czechs, acting on our instructions, have taken charge of the stations the same as in Chita district. Between Pogranichnaya and Nikolsk Russian railway employees have consented to work for Czechs provided they are guarded by Czechs . . . Chinese also have strengthened their guard in this district and are very friendly with Partisans. Chinese officers also ride every train between here and Pogranichnaya, American inspectors do the same. . . .

Czechs are being forced east as fast as possible because no one can forecast future events. . . . Smith.

Repeated to Tokyo.

CALDWELL

861.00/6767 : Telegram

The Secretary of State to the President of the Technical Board (Stevens)[89]

WASHINGTON, *April 19, 1920—3 p.m.*

Your April 15, 1 p.m. Cable whether, in your opinion, members Service Corps would be ready to embark May 10th if arrangements made now for homeward bound transport to call Vladivostok about that date.

War Department advises movement transports toward Vladivostok satisfactory.

COLBY

861.77/1482 : Telegram

The President of the Technical Board (Stevens) to the Secretary of State

HARBIN, *April 23, 1920—4 p.m.*
[Received April 23—10:15 a.m.]

Your cable of April 19, 3 p.m. I can have 65 members of Service Corps ready to leave Vladivostok May 10. It is necessary in view of the difficulties we are meeting with in the evacuation Czechs that we retain the balance of Corps until all Czechs have arrived Vladivostok. The efforts of the Corps furnished the only reasons upon which successful evacuation of the Czechs can be expected. Please advise as to transport.

STEVENS

861.77/1508 : Telegram

The President of the Technical Board (Stevens) to the Secretary of State

HARBIN, *May 5, 1920—10 p.m.*
[Received May 7—6:15 a.m.]

Czech evacuation proceeding fairly well; all east of Harbin; hope to have them all off Chinese Eastern in four days. Japanese control everything Nikolsk to Vladivostok. . . . Heavy reenforcements Japanese army troops constantly arriving Vladivostok and heavy movement their troops from Changchun to Harbin scheduled to commence to-morrow in which case Russian railway men here threaten to strike . . . Personally, I am carrying out Department's

[89] Via the consulate at Harbin.

instructions to evacuate Service Corps and hope to close up my matters shortly, resign from the Board and leave here as soon as possible.

STEVENS

763.72114/5415 : Telegram

The Consul at Vladivostok (Caldwell) to the Secretary of State

VLADIVOSTOK, *May 25, 1920—9 a.m.*
[Received 9:34 a.m.]

170. From Winterburn for A[djutant] G[eneral], War [Department].

"Number 31, May 24th. For Hines. *Sherman* arrived May 22nd sailed to-day for Trieste, first stop Singapore, with 134 first, 70 second, 1787 troops, total 1991 Czecho-Slovak troops. About 13,200 Czechs remain to be repatriated on transports *Eidellyn*, *Madawaska*, *Sheridan*, *Heffron*, *America*. All Czecho-Slovak troops now in Vladivostok."

CALDWELL

861.77/1602 : Telegram

The Secretary of State to the Minister in Czechoslovakia (Crane)

WASHINGTON, *July 15, 1920—6 p.m.*

84. Chinese-Eastern Railway holds bill for transportation of Czechoslovak troops leaving Siberia of more than three million gold dollars. Non-payment of this amount seriously impairs railroad by weakening its economic position.

Ascertain discreetly whether cost transportation Czechoslovak troops is direct obligation of Czechoslovak Government or whether France immediately responsible therefor.

COLBY

861.77/1729 : Telegram

The Minister in Czechoslovakia (Crane) to the Secretary of State

PRAGUE, *September 24, 1920—6 p.m.*
[Received September 27—1:16 a.m.]

230. Your 102, September 17, 7 p.m., 103, September 17, 8 p.m., and 104, September 18, 5 p.m.[90] It is the opinion of the Minister

[90] None printed; see telegram no. 84, July 15, to the Minister in Czechoslovakia, *supra*.

of Foreign Affairs that this account would come either under an agreement which he says was made at the Peace Conference for England and America each to pay 50 per cent of the transportation of Czecho-Slovak troops from Siberia to Czechoslovakia, or under an agreement he also states was made at the Peace Conference arranged through French, for the Allies to pay one-half of the expense of maintenance of Czech troops in Russia and Czechoslovakia to pay the other half. Benes promises to give the matter prompt attention. I shall report further.

CRANE

861.77/1828 : Telegram

The Minister in Czechoslovakia (Crane) to the Secretary of State

PRAGUE, *November 15, 1920—noon.*
[Received 11:03 p.m.]

268. My 230, September 24th, 6 p.m., and 244, October 9th, 1 p.m.[91] Inasmuch as the Allies agreed to furnish material means necessary for subsistence of its army in Siberia, the Czecho-Slovak Government feels that it is justified in asking that they also meet the expenses incurred on the Chinese Railway and furthermore that it would be practically impossible to pay the account at this time. The Government's attitude is that the matter should come under the second agreement described in my 230, September 24th, 6 p.m., and that it cannot pay its half or any portion thereof now. I am forwarding by next pouch a copy of a note from the French Foreign Office dated August 18th, 1919,[92] upon which this agreement is based. I am also sending a copy to the Embassy Paris and repeating this telegram.

CRANE

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[91] Latter not printed.
[92] Not printed.

SOUTH RUSSIA

Appointment by the Department of State of a Special Agent in South Russia—Evacuation of Odessa and Novorossiisk by the Forces of General Denikin—Supersession of General Denikin by General Wrangel as Commander in Chief of the Armed Forces of South Russia—Attempts by the British Government to Mediate between the Soviet Authorities and General Wrangel—Decision by the French Government to Recognize "de facto" the Government of South Russia—Statement Received from General Wrangel, September 9, 1920, Defining His Policy and Aims—Collapse of Wrangel's Defense of the Crimea—Relief of the Crimean Refugees

111.70 M 13/1 a : Telegram

The Secretary of State to the Ambassador in France (Wallace)

WASHINGTON, *December 18, 1919—6 p.m.*

9370. Communicate following to Admiral McCully on his arrival in Paris:

"You are designated a special agent of the Department of State and directed to proceed to the south of Russia with a view first to make observations and report to the Department of State upon political and economic conditions in the region which you visit and second to establish informal contact with General Denikin and his associates. You will be guided by your own judgment concerning the places which you will visit and the length of time which you will spend in each. Your mission is however a temporary one and in the absence of other instructions it is desired that you should not remain in southern Russia longer than is necessary to enable you to form a fair and accurate estimate of the situation and accomplish any particular business which the Department may from time to time entrust to you.

Your duties may include dealing with matters of much delicacy; in these matters, owing to the difficulties of communication, the Department will have to rely upon your own good judgment and discretion. The Department wishes to impress upon you however the fact that, while you are its special representative, you are accredited in no way to any Government of Russia nor are you charged with a particular diplomatic mission or clothed with authority to commit this Government in any way.

You have been shown cablegrams of the Department of State to the Ambassadors at London and Paris which have acquainted you with American policy with respect to Russia. The Department is solicitous that General Denikin and his associates and the people of southern Russia generally should be aware of the friendly attitude of this Government toward Russia as set forth in these telegrams.

It is to be noted that in the absence of legislation by Congress this Government has no funds or supplies available at this time for distribution in the region which you are to visit and there is at present no authority in law for the United States to extend loans or credits. The Department will be glad to have from you, however, reports as to the needs of the people of southern Russia and will use its best endeavors to further any practicable project which may be suggested for bettering their material or moral condition.

The Department desires particularly to have from you an estimate of the social and political character of the anti-Bolshevik movement headed by General Denikin, your estimate of General Denikin himself, of the measure of popular support or acquiescence which the movement appears to have and the likelihood in your view of its ever becoming a means by which orderly constitutional government may be established in Russia. Information on these points is of especial importance since the defeat of Admiral Kolchak in Siberia and the shifting of the center of gravity of the non-Bolshevik elements from that region to the south of Russia.

At the same time it is desired that you study the prevalence of Bolshevism in the regions which you visit and the probability from the political and military points of view of these regions coming again under the control of the Bolsheviki. You will also report such observations as you may be able to make from anti-Bolshevik territory of the development of the Bolshevik movement in Central Russia, its present strength, and the relative probability of a violent change or a more or less gradual evolution into a government with which it would be possible for the United States to deal.

The Department has despatched Consul General Evan Young to Odessa where he will open a Consulate General. He is accompanied by a subordinate staff and is authorized to station Vice Consuls in his discretion at other South Russian cities such as Rostov. An American Vice Consul Alfred Burri is already in Southern Russia. He will be subordinate to Young upon the latter's arrival. There is an American Consulate at Tiflis. The War Department has sent two military observers to South Russia, Colonels Castle and Cox. It is expected that you will cooperate with Consul General Young in every possible way and consult with him especially as to measures which may be adopted with a view to encouraging private commercial enterprise in the Black Sea region especially as a means of reviving normal economic life and thereby bringing about political stability.

In view of the need of the Department for reports on the south Russian situation at the earliest possible moment, you will report the substance of your findings by cable, reserving for mail despatches such amplifications of your telegraphic reports as you may deem useful.

Your telegrams should be addressed to the Secretary of State and should be routed as directly as is practicable. It may be necessary to have them relayed at Constantinople.

The Department is willing that you should employ couriers to the extent deemed necessary, having regard to economy, between your headquarters and Constantinople and other points.

Please acknowledge receipt of these instructions by cable."

Give McCully copy of the codes and show him how to use them.

If it is possible make arrangements for McCully and Sazonov [3] to meet. Doubtless Sazonov will inform Denikin about McCully's

[3] S. D. Sazonov, Director of Foreign Affairs, Armed Forces of South Russia.

coming. The general nature of McCully's mission as given in paragraphs one and two of the above instructions should be explained to Sazonov so that he will understand it clearly.[4]

LANSING

861.00/6059 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *January 2, 1920—4 p.m.*
[Received January 4—12:15 p.m.]

146. Situation Denikin for time being at least appears to have passed from critical to desperate phase. Report that Denikin has warned the Allied missions in Russia that unless their nations send him at once a large trained army Allied missions must leave the country is approximately true. General Wrangel has taken severe measures to restore morale of center army, of which he recently assumed command.

Headquarters of Denikin government is transferred to Ekaterinodar. The evacuation of Odessa to the Crimea is being considered, the Allied men have gone to Odessa to assist refugees. Opinion in responsible quarters here forecasts ultimate triumph of Bolsheviks and the powerful spread of their ideas throughout the world. Key to present situation is in increasing extent of German influence and military aid in Russia.

BRISTOL

861.00/6085 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *January 7, 1920—11 a.m.*
[Received January 8—11:06 a.m.]

6. An appeal has been made to me by Henko, representative Russian Admiral Schramc[henko] of Denikin navy here, on the part of humanity. Odessa will resist or be taken by the Bolsheviki within two or three weeks. It contains more than 100,000 refugees and inhabitants who must be evacuated to allow any defense of the city. If they remain the city must be surrendered and many of them will certainly be killed and tortured. In the recent capture of Kharkov, the Reds murdered 25,000 persons. Greater atrocities are feared at Odessa unless it is properly evacuated.

[4] The last two paragraphs paraphrased.

For this 4000 tons more of coal are needed in the port where shipping is plentiful but without sufficient fuel. Admiral de Robeck appealed to has supplied already 2,000 tons on his own responsibility without consulting the British Admiralty. The French have been appealed to in vain. I find myself in the same position. I have here only 1200 tons necessary for our own ships, and am without authority to turn this over to the Russians. Our Government has no credit arrangements like France and England with Denikin.

In no way could America show to the world the unselfishness and altruism which have characterized us during the war than by in some manner furnishing this coal. Its supply would in no sense be an act of military aid, but rather one of sheer humanity.

The British transport *Hanover* has already made one trip from Odessa to Sevastopol carrying 6000 refugees, and is returning for another load. A French ship has left here on similar mission. We have no means to participate in this work. Any aid on our part in this most serious matter would be amply rewarded in future prestige. We are prejudicing ourselves not only in the eyes of Russians but of other nations by being forced to hold ourselves aloof.

BRISTOL

861.00/6097 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *January 8, 1920—11 a.m.*
[Received January 9—7 : 10 a.m.]

14. My 6, January 7, 11 a.m. I am informed that British Admiralty will supply necessary coal.

BRISTOL

861.00/6184 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *January 18, 1920.*
[Received January 21—11 : 50 a.m.]

43. Following from Admiral McCully.

"1. Section 1. January 18, 11 p.m. Arrived Novorossiisk December 17th on the United States Ship *Biddle* finding in port British cruiser *Concord*, French gunboats *Algol* and *Escaut*, Italian cruiser

Etna and 15 merchant vessels including one American. British battleship *Benbow* with General Milne aboard arrived today and *Iron Duke* with Admiral de Robeck expected tomorrow. Made necessary calls on officials ashore and expect to proceed to General Denikin's headquarters in Ekaterinodar (January?) 22nd. General Wrangel left Novorossiisk for the front today. Novorossiisk flooded with refugees and local conditions unsettled, uprisings from the disaffected elements in the town and attacks from disorderly bands in outskirts. British have about 500 troops available. Possibly Russians have about 2000 more but latter cannot be expected to remain. British General Keyes in command ashore published notice today that British Government would assume the responsibility for evacuation of wounded and of wives and families of [officers?]."

BRISTOL

861.00/6184 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *January 18, 1920.*
[Received January 21—10:28 a.m.]

44. Following from Admiral McCully.

"1. Section 2. January 18, 11 p.m. Evacuation of wounded begins to-morrow probably to Malta to be followed by evacuation of women and children which is not yet decided. Total number to be evacuated about 20,000. This evacuation necessary not only for safety of those evacuated but because present feeling for safety of their families is causing demoralization of forces at the front. Recommend that such United States vessels as may be available assist in the evacuation. Outlook from this point of view for future effective operations Denikine forces not encouraging but most pessimistic views are usually found in rear of army. Denikine forces now still hold lines in vicinity of Tikhoretskaya, about 75 miles southeast of Rostoff and railway from thence to Ekaterinodar but Grozny is being evacuated. Apparently intention to hold Novorossiisk until evacuation completed and pending developments. The Crimea is to be held as long as possible, Perekop and Sivash having been fortified and naval vessels stationed on each flank. No report concerning happenings at Rostoff after its capture. Colonels Castle and Cox now at Ekaterinodar."

BRISTOL

861.00/6232 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *January 23, 1920.*
[Received January 26—10:23 p.m.]

60. Following from Admiral McCully [, Novorossiisk?].

"4. January 23, noon. British battleship with Vice Admiral de Robeck arrived January 21, and other vessels and troops are expected. Impression exists in Novorossiisk that British intend to occupy the place and British do not trouble to correct. Reported that Red armies are advancing southward between Don and Volga Rivers. Preparations being made by Russians to discharge at Theodosia, in Crimea, cargo vessels bound to Novorossiisk. In Novorossiisk are several Americans and wives of Russian husbands, almost without means for whom funds estimated at $3,000 will be necessary if they are to be repatriated. British are doing splendid work but are evacuating only wounded and families of officers. No [evacuations] are made to Crimea on account of lack of food there. Persons with means only may go to Constantinople, others must go to Prinkipo where there is room for about 1500 only. Many others of intelligent educated classes of irreproachable character with notable family names of Orlov, Naryshkin [?], Tolstoi, Tretiakov and of late Imperial family have little means of identification and are living under pitiable conditions. Some of them would like to go to America but transportation would have to be furnished them. Request to be informed if there be any means for helping these people."

BRISTOL

861.00/6289 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *January 31, 1920—5 p.m.*
[Received February 2—8:15 p.m.]

92. It is reported here from a source close to Mackinder, the British M.P. now returned to England from Denikin, that British policy is to cease all military aid in South Russia unless the Kuban and other Cossacks consent to fight Reds with remnant of Volunteer army. British are not optimistic that an effective agreement can be carried out between Volunteers and Cossacks. Mackinder was apparently in Russia with plenipotentiary powers and promised evacuations of civilians. This is now reported to be limited to women and children. Repeated to Paris for Grew.

BRISTOL

861.00/6316 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *February 6, 1920.*

[Received February 10—7 : 11 a.m.[5]]

106. Following received from McCully [, Novorossiisk] :

["]7. February 6, 6 p.m. Personal impressions of General Denikin are that he is earnest and sincere, deeply patriotic and a most capable officer. He is not cast down by defeat and is as resolute as ever to establish a united Russia, and places beyond every other consideration and with which he is if anything too much prepossessed, so that he fails to give proper consideration to measures of expediency in attainment of his end. He exhibited signs of depression only when referring to measures taken recently by the great powers in opening trade relations with the Soviets and in preventing from coming to his aid the Servian and Bulgarian troops who were on the point of sailing. The loss of nerve on the part of the Allied Powers he regarded as his greatest loss. He asks that United States Government use its influence toward permitting these troops to sail.

His defects are also a rigidity of principle not adapted to present conditions, a distrust of politicians which prevents him from an appreciation of the real good of which they may be capable, a failure to realize that radical political measures are now necessary, and a susceptibility to influences of a reactionary character. Reactionary is used here to mean actions and methods of thought of the old school, an incapacity to apprehend march of events and in particular a failure to realize that there has been a revolution in Russia. Reactionary so used may apply to Monarchists, Republicans or even Bolsheviks. [Garbled groups.] In reference to the reactionary a deputy in Cossack Council quoted the Russian proverb 'the hunchback straightens out only in his grave'.

Denikin has complete loyalty of all the Cossack Atamans and of his officers and men, and even his political opponents do not question his sincerity, honesty, patriotism, and ability and without exception wish him to remain as commander in chief of all the armies.

In answer to questions, Denikin stated that territory under his effective control comprised a portion of Don, all of Kuban, and Terek, Government of Stavropol, part of Government of Astrakhan, northern portion of Daghestan, Black Sea Government, comprising east coast of Black Sea, and Novo Rossiya, comprising Odessa, Kherson, and Crimea, with adjacent regions, with a population in all of about 14 million. Approximate boundaries of Don, Kuban,

[5] Telegram in four sections.

and Terek territories are shown on map in year book of 1919. All this region is rich and productive and has not suffered at all so far [during] the war.

Denikin's relations with Armenia are sympathetic, but with Georgia and Azerbaijan are on basis neither of peace nor war, but no commerce is permitted between them and Russia, or it is blockade as Denikin defines it. Part of Ukraine is occupied by Poles, part by Denikin, with bandits in between, and there is no government with which Denikin can deal. The hill tribes of the Caucasus are quiet and in pay of Denikin. In regard to Batum, when mention was made of British intention to leave it, Denikin said "They will never go." I am informed that Denikin has twice requested them to go, which they declined to do. Russians think they hold it more as a part of the route to Persia than for the sake of the Baku oil.

Since January 18th there have been daily meeting at Ekaterinodar [garbled group] of the Supreme Cossack Council composed of 50 members each from Don, Kuban and Terek, with a total population of eight and one half million of which only three and one half million are Cossacks, the latter having in all 140 representatives while the remainder of population has only 10. This council unanimously agreed on necessity of fighting Bolshevism but a minority wishes to fight only within Cossack territory. The council is also unanimous in wishing Denikin to remain as commander in chief of the armies. The council however desires a more democratic government and more independence than Denikin will agree to, and also that until meeting of All Russian Constituent Assembly the council shall have the right to make laws and that ministers shall be responsible to it. Denikin to retain rights of veto on laws made, and that ministers of war, railways, and supplies shall be responsible to him only.

Newspapers are numerous and press is remarkably free. It is insistent on a government of a character that appeals to the people which says that in a civil war a representative government can win only when backed by the people.

Denikin's special council whose reactionary political activity is believed to have caused failure of last year's but this has been dissolved and its members assigned to other duties in the rear. General Wrangel who took part prominently in hanging of Deputy Kalabukov of the Kuban Rada, has been sent to duty in the [apparent omission].

Denikin's propositions are all broad generalities depending for satisfactory application on personalities of officials, and although

liberal in form open the way to continuance reactionary ideas. In case of refusal to accept his plan Denikin threatens to transfer Volunteer part of army to another front and leave Cossacks to fight alone. Conferences between Cossack Council and Denikin indicate that a compromise will be reached, the Don and Terek favoring Denikin's plan and Kuban demanding more liberal self government and definite guarantees. If generous and satisfactory agreement could be reached the three Cossack Governments and people would be whole heartedly in the struggle. Other governments would probably join and Denikin could win. Otherwise this ghastly struggle will continue to drag along and Denikin can win only by greater weakness of his adversaries. There is at this moment a splendid opportunity for political regeneration of Denikin government and formation of nucleus anti-Bolshevik government organization.

The people want definite, simple, matter of fact declarations with guarantees such as for instance

1. Each party shall have without prejudice at once all the land he can work with his own labor.
2. Workmen shall have working day eight hours with the right to form unions and to strike.
3. Right of habeas corpus.
4. Free education.

The first of these provisions appeals directly to 80 million Russian peasants and strikes directly at basic principle of Bolshevik government of collective ownership or communism. Some such provisions should be included or there will be no incentive for all people already sick to death of war to continue fighting.

If the matter is of sufficient importance to our Government, I would suggest for its consideration that representation be made to Denikin urging him to make liberal concessions with a statement that if such concessions were made they would be regarded as sufficient grounds for United States Government seriously to consider recognition of his government as *de facto* government of Russia. We can, however, [not?] ask that General Denikin make simple and matter of fact concessions unless we make simple and definite proposals to him. I would respectfully urge that at this time such representations if made should not include reference to any religious questions. McCully."

BRISTOL

861.00/6319 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *February 8, 1920.*
[Received February 11—4:53 p.m.[6]]

112. Following from McCully [,Odessa].

"10. February 8, 10 p.m. Arrived Odessa today on destroyer *Biddle* finding in port British battleship *Ajax*, 3 British destroyers, 1 French gunboat and one French destroyer, United States destroyer *Frederic Talbott* and one Greek destroyer. Sequence of events about as follows.

About February 1st there began isolated cases of murders of Russian officers followed by increasing disorder by local rioters resisted only by a small detachment of Russian students under officers of British mission. On February 5th General Schilling commanding at Odessa acknowledged that he could no longer maintain order, turned over control of the city to a Ukraine Council and went aboard ship and sailed for Sevastopol. During 5th and 6th there was irregular fighting between Ukrainians and rioters and between rioters and the small detachment of boys under command who were covering the evacuation. The evacuation of (the?) refugees was completed evening 6th including American Red Cross and consular officers.

Troops of local Russian army completely demoralized although there had never been any attacks by organized Red forces. Neither had Red troops as far as I can learn made an attack on Russian troops in advance positions. On February 1st disorderly elements gained control of the town and there was much firing although no Red troops entered the city until today which has passed comparatively quiet. All remaining detachment Russian troops that escaped which consist mainly of small groups of officers are now on march to Tiraspol and Roumanian border.

Evacuation was limited to wounded officers and to women and children families of officers and of class maltreated by Reds. British have evacuated several thousand to Varna and have several thousand more on merchant vessels anchored outside breakwater. About 500 have been evacuated by me to American Red Cross refuge on island of Proti in Sea of Marmora expense being borne by Russians.

All men of war are anchored outside breakwater and within range of shore batteries which however have not attempted to fire on them. There are said to be two or three Americans still on shore and attempts will be made to get them.

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[6] Telegram in three sections.

Lieutenant Commander H. V. Covent, United States Navy, whom I had requested Force Commander to assist me by acting as observer at Odessa arrived here January 30th and was present during evacuation."

BRISTOL

861.00/6339 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE [*undated*].
[Received February 12, 1920—1:41 a.m.]

113. Following from McCully [, Novorossiisk?]:

"8. Odessa is in hands of Bolsheviks. Calculated over 10,000 refugees are on board vessels in harbor. The Crimea may fall at any moment and there will also be a large number of wretched, harassed refugees from Bolshevik occupation. Following message received from General Denikin dated February 8, 2 p.m.

[']Fighting on Odessa and Crimea front goes on against heavy odds. Both are full of refugee, sick, wounded and families of officers. Scarcely any ships available and no coal. If military operations unsuccessful above are in greatest danger, even death threatens them. Morale fighting men weakened by worries about families in rear.

I appeal to humanity of your people and request your Government if they cannot obtain for us ships and coal for evacuating from Odessa and possibly Crimea. This is urgent and such help will never be forgotten and help us fight and without wavering. Denikin.'

Urgent necessity for with all force possible [*sic*] that duty to humanity require us to help these unhappy people. McCully."

BRISTOL

861.00/6350½ : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *February 10, 1920—7 p.m.*
[Received February 12—11:52 a.m.]

117. It is increasingly apparent that recognition of three Trans-Caucasus republics may be as serious an error in combating Reds as announcement of blockade against Soviets lifted appears to be. It is my opinion, backed by much evidence, that both measures were taken without understanding the mentality of all peoples concerned and it was at the worst possible moment in struggle against Reds. The recognition of Georgia and Azerbaidjan has been interpreted by those countries as forced on the Peace Conference and the British

by a desperate military and political situation and not as a means to stiffen and assist these small countries against a Red invasion. These countries see in this recognition a proof of Red victory and power. For it they thank the Bolsheviks, with whom they have always had much sympathy, and to whom their selfish political ambitions will now turn more and more. The Bolshevists are proclaiming the Allied proposal to open up trade with the cooperatives as a great victory that they have won against the Entente.

It is already reported that Tchitcherin has invited Georgia and Azerbaidjan to attend a peace meeting at Rostov, with the threat that military measures will be taken against them if they refuse. Their answer is said to have been in the negative, but this could at any time be reversed, and would likely be if a Red campaign reached south.

Regarding any plan to feed South Russian peoples through trade with Soviets, no grain stocks are needed there. The population want plows, clothing, household utensils to stiffen them against Red movement. Need of the foregoing was strongly urged last spring, and present moment [apparent omission] enveloping.

The British are reported concentrating great numbers tanks in Mesopotamia and on Afghan border. It is contended and seems wisest from military standpoint that a stand against any serious Red drive in spring towards the southeast should be opposed outside Russian territory, on a long prepared and strong offensive [*defensive?*] line where the Red[s] have lengthened their communication to the utmost, rather than by isolated aid to already disturbed and disaffected new small countries where troubles would inevitably follow mingling of western troops with natives. Repeated to Paris for Grew.

BRISTOL

861.00/6349 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE [*undated*].

[Received February 13, 1920—2 : 35 p.m.[1]]

122. From Admiral McCully [,Odessa].

"12. Sent an officer ashore today to attempt to get Americans believed to be still in Odessa. These are Barnett Young, Jacob H. Rubin of Union Bank, Milwaukee, Tate ex-soldier of the United States Army and Mrs. Eli Keyser. Barnett and Tate could not be found and may have gotten away on a steamer. Rubin does not

[1] Telegram in two sections.

wish to leave, has offered his service to Bolsheviks and apparently sympathizes with them. Mrs. Keyser was seen and was indifferent about going away and some money was left with her. The names of these people were given to Bolshevik commander who promised they would not be molested so it would not seem necessary to take further steps unless so directed.

According to observation of the officer landing, order is maintained in the city, people apparently going about usual business, food shops open and food seeming fairly plentiful. Officer commanding is General Uborevitch about 20 years old. He stated that he had suppressed looting immediately coming here and that no one would be molested except spies and thieves. He wanted to know why British war vessels had fired on his troops when his Government had made a treaty with their Government, apparently being under the impression that there is such a treaty. He said that merchant vessels will be welcomed for commercial pursuits but that he will open fire on the British war vessels if they do not leave within three days. Bolsheviks have also captured Nikolaiev and probably troops are fairly well equipped, many wearing British uniforms and under strict discipline. Weather is very cold here and ice is forming well out to sea. I expect to leave for Sevastopol evening of February 11. End McCully."

BRISTOL

861.00/6359 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE [*undated*].
[Received February 14, 1920—7 : 25 p.m.]

127. From Admiral McCully [,Sevastopol] :

"15. February 12, 11 p.m. Arrived Sevastopol. In port British battleship *Marlborough*, French *Detach*, Greek destroyer, and United States [garbled group]. Harbor cluttered with shipping most of it useless, town crowded with refugees. General demoralization of morale and administration. Streets full of soldiers and ablebodied men whom no authority seems to direct. General atmosphere extremely gloomy, although news from Crimea front is good. Volunteer army still holds Crimea Isthmuses, and Reds have not been able to advance lately although lagoons on either side of Isthmuses are solidly frozen over. General Schilling is commander-in-chief pursuit forces in this area, and left today for the front. Personal impressions of him are favorable in spite of his failure at Odessa;

and there are 1,000 people registered as wishing to leave Sevastopol, and 11,000 more on ships from Odessa with inadequate food, protection and medical attendance. British are not evacuating anyone from Sevastopol at this time as they have no port to which they may be sent. It is necessary to begin and carry out an evacuation of at least a portion of these people, in order to avoid the repetitions of such incidents at Odessa, as that of playing machine guns on thick mass of frantic refugees to prevent them boarding already over loaded vessels. McCully."

BRISTOL

861.00/6358 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *February 13, 1920.*
[Received February 16—2:24 a.m.]

130. From Admiral McCully [,Sevastopol.]

"16. February 13, 1 a.m. Agreement has been reached between Denikin and Supreme Cossack Council but it is not whole hearted and effective. Terek agrees unreservedly, Don with a 'perplexed soul', and Kuban with protest and mental reservations. Conditions in Sevastopol point to repetition of Odessa events at an early date."

BRISTOL

861.00/6504 : Telegram

The High Commissioner at Constantinople (Bristol) to the Acting Secretary of State

CONSTANTINOPLE, *March 3, 1920—5 p.m.*
[Received 12:35 p.m.]

166. From information in Constantinople, General Wrangel is expected immediately to arrive in Constantinople. Departure of this best of Denikin generals from him is stated due to realization of the hopelessness of cause due largely to wide spread corruption behind the lines, and marks the beginning of final stage in complete collapse Volunteer army which it is expected will be disbanded as such within a month at most.

Impression is gaining in all quarters that the Allies have definite agreement with Soviets intended to result in political besides commercial recognition. It is certain in any case that the British have utterly abandoned Denikin, if not really working against him. British resumption of Caspian command has been abandoned defi-

nitely. The improbable reason stated by them is that Denikin protested against British resuming that command. Repeated to Paris for Grew.

BRISTOL

861.00/6510 : Telegram

The High Commissioner at Constantinople (Bristol) to the Acting Secretary of State

CONSTANTINOPLE, *March 4, 1920.*
[Received March 8—6 : 03 a.m.]

173. Following from Admiral McCully [,Novorossiisk?] :

"24. March 4, 12 p.m. Russian Volunteer army is retiring before Red forces and gradually disintegrating. Presumably such as hold together will try to go to Crimea. South Russian Government has been transferred from Ekaterinodar to Novorossiisk and acquired most of Denikine staff now at latter place. Denikine himself is somewhere near the front. Preparations made for complete evacuation of Novorossiisk which will occur in a few days. It is expected that this will be effected in an orderly manner, the British being in close touch with Greek forces and it is reported that British are trying to arrange armistice with Reds. General Schilling has arrived Novorossiisk as he could no longer maintain control in Crimea. General Slashchev in control there. [Garbled group] to be co-operating with Makhno. Major General Schutze, Colonel Corner and Lieutenant Posche of German General Staff reported to be at Sevastopol. A German, General Schutze, is said to be Makhno's chief-of-staff. Monarchistic movement in Crimea likely under the leadership of General Wrangel. I expect to remain at Novorossiisk until evacuation and possibly for a few days afterward. McCully."]

BRISTOL

861.00/6561 : Telegram

The High Commissioner at Constantinople (Bristol) to the Acting Secretary of State

CONSTANTINOPLE, *March 12, 1920.*
[Received March 16—7 : 15 a.m.[8]]

202. Following from Admiral McCully, Novorossiisk.

"28. March 12, 11 a.m. Remaining in Novorossiisk are about 5,000 people and in Crimea are about 20,000 others all of most intelligent class and of estimable character who are or who firmly believe themselves to be in danger of [omission] or maltreatment if Bolsheviks

[8] Telegram in two sections.

take charge, a contingency imminent in both places. The British are doing what they can to evacuate these people but have asked our assistance. For humane considerations, for our own self respect, for even reasons of future self interest and in accordance with principles of humanity often proclaimed by the United States, I think it is important that the United States should take part in the work of evacuating these people, such work to include only women and children and other persons meriting consideration but not capable of bearing arms.

Hosts [*Upon?*] taking possession the Red forces show self-restraint and a desire to maintain order. Most of these people would desire to return to Russia so their maintenance would not be necessary for any prolonged period. I urgently recommended to United States secure use of one of the Greek islands, send at once such naval vessels as may be available, and as quickly as possible send [garbled groups] transport provided with housing facilities and provisions for three months for 10,000 people, placing these means preferably under naval control working in cooperation with American Red Cross. The estimated cost would be approximately $1,000,000 which would be a modest price to pay for the good will of Russia which may be of such great importance to our country in the future. McCully."

BRISTOL

861.00/6599 : Telegram

The High Commissioner at Constantinople (Bristol) to the Acting Secretary of State

CONSTANTINOPLE, *March 16, 1920.*
[Received March 19—5 : 13 a.m.]

214. Following from Admiral McCully, Novorossiisk:

"30. March 16, 11 a.m. General Denekine with his staff have arrived in Novorossiisk which will be headquarters. Kuham has moved to Maikop. On March 15th had interview with General Denekine who appeared much depressed and not at all hopeful, explaining all Denekine government funds have been transferred to Batum and my impression is that in spite of the strength and obvious advantages of Crimea General Denekine is opposed to transferring his forces there and contemplates operations against the Greens and occupation of some barricades on east coast Black Sea. The British are violently opposed to this scheme not only on superior advantages of Crimea for defense but also occupation of base on east coast of Black Sea brings area of probable hostilities too close to British

sphere of influence and may also involve Georgia. British have gone so far as to warn Denekine that if he persists in this intention they will withdraw half of support and will destroy all their military stores in Novorossiisk of which there is about $50,000,000 worth and will declare operations against Greens unjust. Denekine's reluctance to go to Crimea may be due to the existing discontent there with his regulators [*sic*] which involves also Russian naval forces. General Denekine asked if anything could be done in the way of assisting him with hospital ships for his sick and wounded and with food. His quartermaster general states there is at Novorossiisk only five days bread for his forces. Order is now fairly well maintained in Novorossiisk and secured by British troops and reliable Russian forces but there are rumors that his officers have notified General Denekine that he will not be allowed to leave Novorossiisk without his troops. Of naval forces at Novorossiisk there are present British battleship *Emperor of India*, cruiser *Calypso* and three destroyers under Rear Admiral Sabean, French cruiser *Waldeck Rousseau* and one destroyer, Italian cruiser *Etna*, one Greek destroyer and United States Ship *Galway*. I am leaving Novorossiisk temporarily to visit east Black Sea ports but will return in case of necessity. McCully."

BRISTOL

861.00/6561 : Telegram

The Acting Secretary of State to the High Commissioner at Constantinople (Bristol)

WASHINGTON, *March 18, 1920—5 p.m.*

4. For McCully.

Answering your 28, March 12, 11 a.m. There are no funds available at present for this Government to assist in evacuation work. Critical situation has been brought to attention of American Red Cross and American Central Committee for Russian Relief. Suggest you take up with Navy Department question of use of American naval vessels which possibly it can arrange.

POLK

861.48/1145

The British Ambassador (Lindsay) to the Acting Secretary of State

No. 179 WASHINGTON, *March 22, 1920.*

SIR: I have the honour to inform you, on instructions from my Government, that in view of the apparently imminent collapse of General Denikin's regime, the question of providing for refugees

from that part of Russia which has heretofore been under his control is becoming daily more urgent.

The Roumanian Government, who had at first offered to receive a number of these refugees on certain conditions, have now withdrawn their offer but several thousand have been transported to Egypt, Serbia, Bulgaria and elsewhere and arrangements are now being made to receive a further number in Cyprus. In addition to these the Greek Government have offered to receive one thousand wounded and sick on condition that their expenses, which the Greek Government themselves are quite unable to defray, should be paid.

In these circumstances I am instructed to enquire whether the United States Government would be prepared to contribute towards the general expenditure on transporting and maintaining these refugees.

I should be grateful if a reply could be given at as early a date as possible.

I have [etc.] R. C. LINDSAY

861.48/1145

The Secretary of State to the British Ambassador (Lindsay)

WASHINGTON, *March 24, 1920.*

SIR: I have the honor to acknowledge the receipt of your note, No. 179, dated March 22, 1920, inquiring whether the United States Government would be prepared to contribute towards the general expenditure of transporting and maintaining refugees from that part of South Russia which has hitherto been under the control of General Denikin.

In reply, I regret to inform you that this Government at this time has no funds available for use in maintaining these refugees. However, this Department is informed by the Navy Department that American naval vessels now in the Black Sea are assisting in the evacuation of refugees from the Caucasus. It is understood that, because of the necessity for prompt evacuation, these refugees are being taken from the Caucasus to the Crimea, and that, if further need arises, evacuation from the Crimea to other points will be made at a later date.

This Government has informed the American Red Cross and the American Central Committee for Russian Relief of present conditions in South Russia but is advised that their relief work in this region is handicapped by lack of funds.

Accept [etc.] BAINBRIDGE COLBY

861.00/6666 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE [*undated*].
[Received March 31, 1920—7 : 32 a.m.]

237. Following received from McCully, Novorossiisk.

"33. March 26, 10 p.m. Red forces began shelling outskirts of Novorossiisk this morning, advancing along limitations of railroad. British battleship *Emperor of India*, cruiser *Calypso*, and French cruiser *Waldeck Rousseau* fired in direction of Red position throughout day. Beside these there are in port five British destroyers and airplane ship *Pegasus*, two French destroyers, one Greek destroyer, Italian cruiser *Etna*, two Russian destroyers and one submarine, United States Ships *Cole* and *Galveston*. Practically all Volunteer army and Don Cossacks estimated at 15,000 men now Novorossiisk being evacuated very slowly for lack of ships. Great disorganization, but so far no serious disorder. Troops and refugees massed in the open along water front for distance three miles and on the pier. Fire burning near the dock and arms and ammunition, carts, automobiles being dumped overboard from pier. All troops embarked being sent Crimea, but impossible to evacuate all from Novorossiisk. Customary wretchedness and suffering have occurred. *Cole* leaves tomorrow morning for Constantinople with refugees. *Galveston* remains here until it is over, then will proceed to Theodosia. American consul, Red Cross, Military Mission, and all Americans except one who chose to remain have been evacuated. McCully."

BRISTOL

861.00/6663 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *March 27, 1920.*
[Received March 31—7 : 10 a.m.]

236. Following from McCully, Novorossiisk:

34. March 27, noon. Red forces occupied Novorossiisk 10 a.m. to-day after some fighting in eastern part of town in which, besides land forces, only Russian destroyers took part. Large portion Volunteer army was evacuated to Crimea but several thousand joined Red forces and others retreated east coast of Black Sea. All vessels have

gone to sea, British and French being fired on by artillery but care was taken apparently not to fire on *Galveston* which was closer in and last to leave. McCully.

BRISTOL

861.00/6698 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE [*undated*].
[Received April 6, 1920—1:32 a.m.]

253. Following from Admiral McCully, Theodosia.

"37. April 3, 10 p.m. General Denikine has agreed to nomination of an officer to succeed him in case of sickness or disability this to be chosen by a council of generals now in session in Sevastopol. It amounts to a transfer duties of commander-in-chief. General Wrangel has arrived at Sevastopol and there seems to be no doubt but that he will be chosen in a few days. McCully."

BRISTOL

861.00/6711 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE [*undated*].
[Received April 8, 1920—5:32 a.m.[9]]

260. Following from Admiral McCully, Theodosia:

"38. April 5, 10 p.m. My despatch number 37 of April 3. Council of generals considers it to be subversive of military discipline for subordinates to elect their superior but expressed opinion that only General Wrangel would be satisfactory as successor of Denikine. Denikine accordingly designated Wrangel as commander-in-chief of armed forces of South Russia, and himself plans leaving for Constantinople on a British naval vessel immediately. Wrangel assumed duties April 4th, and I made an unofficial call on him to-day. He had just received notice from Supreme Council Paris that Allies would mediate between him and Bolsheviks, and that if he did not accept their mediation they would withdraw any future support. Russians are convinced that Bolsheviks have not yet reached stage where they have learned sufficient self restraint to make it safe to deal with them. According to their reports Bolsheviks have ex-

[9] Telegram in two sections.

hibited all their usual cruelty during recent operations in Kuban, but of this I have not been able to get definite first hand information.

Troops retreating to Tuapse have so far been evacuated to the Crimea, the remainder continuing retreat along coast to southward. I have information that British have already begun negotiations with the [Bolsheviks?] regarding cessation of hostilities in this region. Present disposition of Russians here is to [apparent omission] it upon us. Wrangel is a highly capable leader, has great energy and determination, and is in position to make prolonged defense of Crimea. Ukrainian delegation from Petliura recently visited Denikine headquarters to arrange cooperation, and negotiations are being carried on with Makhno. Crimea may shortly be organized as a representative government. In the interview General Wrangel impressed me as being open to suggestion particularly if coming from United States. McCully."

BRISTOL

861.00/6742 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE [*undated*].
[Received April 13, 1920—9:15 a.m.]

272. Following from Haskell:[10]

"8. Volunteer army retreating from Terek into Georgia along Vladikavkaz-Kazbek road being disarmed Georgia frontier, and interned. In all 4000 civilian refugees from Vladikavkaz district have arrived Tiflis, about 12000 more expected. Georgia establishing refugees concentration camp Poti, refugees being sent there, 30 carloads daily. Georgian Government showing liberal attitude towards refugees. Am giving Georgia three car loads flour per month assist feeding civilian refugees. Commencing March 22nd serious conflicts between Tartars and Armenians, Bagdad and [garbled group] districts, taking place with little prospects early settlement. Each Government claims other Government attacking defenseless people with regular troops. 25,000 Armenian[s] Baku danger being massacred notwithstanding honest efforts Baku Government protect them. Petrovsk and Derbend, Caspian occupied by Soviet troops. Reported part Volunteer Caspian fleet moving Persian ports while remainder turned Soviet and will join Soviet fleet when it comes out Volga. General political conditions Baku serious. Haskell."

Repeated to Paris for Logan.

BRISTOL

[10] Col. W. N. Haskell, Allied High Commissioner in Armenia.

861.00/6787 : Telegram

The Secretary of State to the Ambassador in Great Britain (Davis)

[Paraphrase]

WASHINGTON, *April 23, 1920—6 p.m.*

418. There is a London despatch in the *New York Times* of April 17 stating that recently Earl Curzon made an appeal to the Government of Soviet Russia asking that amnesty be granted to General Denikin and to the Volunteer Russian army in the Crimea. The Department has received an official report from Constantinople stating that the British there have been notified that Lord Curzon sent a message to Tchicherin asking that the Bolsheviki refrain from hostilities until an armistice can be made.

Confidential information has also come to the Department that a telegram is believed to have been sent to General Wrangel by the British Government recommending that he conclude an armistice with the Reds and giving him an intimation that he could no longer count on the support of Great Britain in the conduct of hostilities.

You are instructed to investigate these reports and to inform the Department.

COLBY

861.00/6797 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE [*undated*].

[Received April 24, 1920—9:25 a.m.[11]]

300. Following from Admiral McCully [,Theodosia].

"42. April 20, 5 p.m. The Atamans of Don, Kuban and Terek have forwarded separately to me a communication addressed to Great Britain, France, Italy, United States, and Japan in which they request those countries to act as intermediaries with the Soviets in negotiations for ending the fighting in Russia. These proposals recite the history of Cossack nations whose ideal has always been liberty and who preserved it even under Imperial regime and also the suffering and distress which their people now undergo. They ask 'in the name of humanity, in the name of salvation of their existence, in the name of self-interests of the great powers themselves, that a stop be made to the fighting.' Each communication

[11] Telegram in four sections.

is in same form, head, conclusions in exactly the same words and lays down as conditions for beginning negotiations:

'1. Abstention by Soviet powers from any interference in internal affairs of Don, Kuban and Terek.
2. Withdrawal of Soviet forces from territory of Don, Kuban and Terek.
3. Future relations of these Cossack territories with Russia to be determined by special agreement.
4. International guarantees for fulfillment of conditions agreed upon by both sides.'

Although Astrakhan and Ural Cossacks are not represented, Don Ataman requests that any agreement reached be considered also with them alike.

Don and Terek have sent Mr. Melnikov former President of Council under Denikine to represent them before Supreme Council in Paris while Kuban has sent Mr. Bukovtzets there for same purpose. By previous agreement reached between (armies?) of Don, Kuban and Terek on April 16 General Wrangel is recognized by them as commander in chief of their [apparent omission] forces and directing their movements. In civil administration and internal affairs Cossack territories enjoy full autonomy independently of commander in chief, who however, is intermediary through which relations with foreign powers shall be conducted. Request of Ataman for intermediation of British forces is made with knowledge and consent of General Wrangel who in an interview Lawder today states his willingness to enter into negotiations for armistice preparatory to peace since without support of Allied Powers it would not be possible to maintain the war indefinitely. In view of the fact that Allied Powers could not promise to evacuate his forces to some other place and of impossibility to submit unconditionally at this time to the Soviet while the blood of both sides is hot and on account of the cruelties which would inevitably follow, the conditions upon which he would [apparent omission] would be that his forces should remain undiminished in the Crimea which would serve as a refuge for them and for other Russians who have been forced to leave their country. In the meantime and until a (plan?) should be arrived at he would institute in the Crimea a government of most liberal character, establish peace and order and occupy himself (in?) developing resources of Crimea.

On April 14th General Wrangel organized council consisting of one of [his?] own naval officers and three civil members, one of civil members being Peter Struve, Social Revolutionary, publicist, professor and noted for clear views and liberal and progressive ideals. Another civil member is soon to be replaced by Krivoshein,

formerly Minister of Agriculture under the Imperial regime, broad minded, honest, capable, and enjoys general confidence throughout Russia. Selection of council met most favorably by all classes and Russian Christians [*sic*] strongly supports Wrangel. General Wrangel has heretofore been strenuously endeavoring to charter [omission] and bring soldiers to [omission] and prevent fighting at the front with his men. In his decrees as head of the government he has shown himself so extraordinarily liberal as to astonish every one, remark being 'who could have expected such things from a Baltic baron and [omission.]' His reforms are opposed only by irredeemable officials of old regime who unable to accomplish anything themselves are still strong enough to hamper [omissions]. Immediately on organizing government Wrangel went to front and organized smart offensive immediately without accomplishing any important military results yet he did much to establish morale. Russian naval vessels are in good shape and exhibit fine spirit, the crews taking part as [omission] in recent offensive.

Agreement has been reached with Ukrainian delegation here for cooperation between Petliura forces and those of Wrangel. Military position seems for the time secure and there is little probability of internal disorder in Crimea. British have strong military mission in Sevastopol of 175 officers and 400 men and two British merchant vessels have discharged a number of field guns and considerable amount of ammunition in the last few days. General Keyes head of Special British Mission leaves for England to-day and then goes to Moscow to assist with negotiations with Soviet. French have also large mission but deprecate any military success by Wrangel. French gunboat *Lascarpe* visited Odessa April 8th and is now at Nikolaief in negotiations concerning matters of trade with Soviet Commissary Davidovitch. There are also Japanese, Czecho-Slovak, Belgian and Polish but no Italian or Roumanian. Sevastopol with [normal?] population of 80,000 has now over 200,000 with much hardship and suffering, particularly amongst children. Order is maintained with ruthless hand during past week by sentence of court-martial, two officers being shot and three others publicly hanged for common robberies. Similar conditions exist in other towns. Crimea can under ordinary circumstances be held yet for several months but consequent suffering of innocent population would be dreadful. From personal knowledge of Wrangel I consider him entitled to confidence and that his purpose is sincere, high-minded and patriotic. McCully."

BRISTOL

861.00/6869 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *April 29, 1920.*
[Received May 5—2:24 p.m.[12]]

316. Following from Admiral McCully, Sevastopol:

46. April 29, 2 p.m. After three months observation of conditions in Southern Russia the principal conclusion evident is that all of Russia is sick to death of war and its accompanying disorganization, desolation and suffering. For the great mass of the people any solution at all would be welcome that would establish peace and order. Elements opposing solution are Communists on one side, and old regime on the other side, both following similar methods and neither entitled to consideration but so far constituting the only elements in Russia to which the foreign powers have given any attention. No practical interest has so far been shown in the great body of the patient, lovable, suffering Russian people.

The struggle at present is [maintained on one side by] a small, compact, for the most part seasoned and efficient force under capable leadership and occupying in the Crimea a position strong both from military and political point of view. This position can be held possibly for a year during which this area can be developed economically, peace, [order] and content established and then by force of [accomplishments] its influence may be extended over other parts of Russia. Such is the plan as announced by present government and the preliminary steps taken promise fulfillment.

On the other side are overwhelming forces directed by a [strong] will with unscrupulous use of force but according to information here giving unmistakable evidence of internal disorganization, discontent and dissension. Both sides seem willing at this time to suspend operations and so obtain a breathing spell.

The South Russian party gives evidence of having learned much and is no longer controlled by reactionaries who are however still strong enough to hamper liberal reforms. The head of South Russian government, General Wrangel, has himself learned his lesson and is even in advance of liberal ideas so far developing in his party.

The Bolsheviks have also undoubtedly progressed. They have destroyed [*organized?*] secretariat, corrected many gross abuses and even developed grandiose plans for advancement of mankind. Particularly their attention to education and care of children indicate a spiritual advancement not yet reached in their conservative oppo-

[12] Telegram in four sections.

nents. They have also done much to promote advance of individual political rights. All, however, has been accomplished by a brutal exercise of force and accompanied by development of a bureaucratic administration and a militaristic organization both hated by the Russian people who are also utterly opposed to communism.

Foreign intervention in Russian affairs has accomplished nothing useful either for the Russian or for interests of the powers intervening. The Russian people have never been convinced that foreign intervention had any other aim than the self interests of those powers. From the British Government the Russians accept assistance but feel that at the same time the British law [*sic*] will be presented for payment. In Russian opinion any accomplishment by France is discredited. Italy is not regarded as a serious factor. Russians have little consciousness of any active measures by the United States and little knowledge any practical assistance in their distress but although Russians and Americans become quickly sympathetic individually and quickly get each others point of view, yet nevertheless any activity of the United States in Russian affairs would be regarded [by] the Russians in [presaging] the domination of [Jewish] influence. There is no evidence of organized German propaganda but there is a strong sentiment among the humblest types of Russians that if any external influence is necessary that of Germany is the only one capable of restoring peace and order, not realizing that Germany is now herself in preliminary stages of Bolshevism. This idea comes from experience of German occupation in 1918 when a comparatively small German army occupied South Russia lightly disposing of any Bolshevik resistance, not even serious [fighting?] being necessary. Each Russian peasant knows that the appearance of German uniforms was the signal for disappearance of Bolsheviks and that in a town of fifty or sixty thousand inhabitants, peace and order was maintained by detachments of fifty or sixty German soldiers.

This is compared with discouraging Allied intervention which through its confused and half hearted policies, brought only increasing disorder and usually ended in abandonment of such Russians as confided in them to mercies of Bolsheviks. In Russia the German mark has been throughout favored in exchange. Pound sterling could be exchanged for 5,000 roubles while a pound sterling worth of marks according to London exchange was worth 12,000 roubles and this was not affected even during disorders in Germany. This is the strength of German influence and, powerful though it is, does not indicate that Russia will accept German domination. Greece is the power most disliked by Russians. The only power whose prestige has increased amongst Russians is Servia which,

from her little, has given more than great powers from their much and which by this means has won Russian affiliations.

A cessation of fighting by all elements at this time is most desirable in order to avoid suffering to innocent populations and during a peaceful interval to give, if possible, the Russian people itself a chance to be heard and chance to choose the side with which it will ally itself.

The movement for autonomy amongst various districts of Russia is not so much a movement for political autonomy or independence as it is the expression of a desire to live their lives in their own way without external interference in internal affairs. These districts will all drift back into Russia. Russia has a national Slav spirit and will remain a great and formidable nation not dominated by other power whatsoever and with less reason than ever for close relations with any other power. It will be a power whose good will will be invaluable and with whom it would be wise to be friends. McCully.

BRISTOL

861.00/6841 : Telegram

The Ambassador in Great Britain (Davis) to the Secretary of State

[Paraphrase]

LONDON, *April 29, 1920—5 p.m.*
[Received April 29—2:46 p.m.]

703. Department's 413 [*418*], April 23. I am informed by the Foreign Office that the British Government is now considering the entire matter of the Russian refugees in the region of the Black Sea. Lord Curzon sent a wireless message to Tchitcherin some time ago making the proposal that amnesty be granted to the Russian Volunteer army and that further fighting in that region should be avoided. In his reply Tchitcherin stated that his Government would willingly consider such a plan if the Government of Great Britain would use its good offices to help the Hungarian Communists who now are interned in Austria and also to arrange peace between Bolshevik Russia and Poland. Tchitcherin also raised certain minor points. As Curzon had not secured any direct answer he telegraphed again to Moscow. In this telegram he stated that the British Fleet would take part in defending Crimea if the Soviet Government did not agree to conclude hostilities. This brought a hasty answer from the Reds denying any warlike intentions and expressing the wish to conform to the desires of His Majesty's Government. No further developments have taken place.

The Foreign Office gave its views to Denikin just before Novorossiisk fell. Denikin was told that there was no use in his continuing the contest and that there should be some arrangement with the Reds. The previous intimation of the British that assistance could be given him no longer in fighting against the Bolshevik Government was renewed. A communication of like nature was made to Wrangel after Denikin resigned. No further action has been taken awaiting a move by Soviet Russia toward an armistice. It is the belief of the Foreign Office, however, that General Wrangel in the future will be willing to agree to any arrangement which may be made by the British.

I have reason to think that the matter of Allied relief for Russian refugees may be again brought up by the Foreign Office. Already France has been sounded out and the French Government has promised 11,000,000 francs. It is the hope of the Foreign Office that it will secure the cooperation of our Government in this matter.

DAVIS

861.00/6870 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *May 3, 1920.*
[Received May 6—7 a.m.[13]]

324. Following from Admiral McCully, Sevastopol:

"49. May 3, [11?] p.m. On April 29th head of British military mission delivered to General Wrangel the following message from Lord Curzon to [Admiral] de Robeck:

"The replies we have received from Chicherin to our endeavors to make terms for General Wrangel's forces in Crimea have not been so far encouraging. Chicherin instead of putting forward Soviet conditions as he was asked, is trying to obtain political concession elsewhere which we cannot grant. Thus for the moment we are unable to carry out General Wrangel's requests. If as seems probable we cannot make terms for him, the only alternative is for him to make them for himself. The continuance of the struggle by General Wrangel can have only one result and cannot be encouraged by us with grants of material or supplies."

May 3, 11 p.m. On May 2 General Wrangel answered, reminding British Government of its definite assurance that British naval forces would assist in defense of Crimea if Soviets refused to accept British mediation. He reminds British that attempt of General Bukretov

[13] Telegram in three sections.

to obtain armistice on east coast Black Sea, was met by refusal of Soviets to consider any terms except unconditional surrender. He pleads that Crimea may be kept as a healthy nucleus about which other groups may group themselves against the tyranny of Bolshevism. He agrees if [*calls*] attention to British Government and all powers of Entente to the danger to themselves of depriving him and his army at this critical time of all support for no fault of his own and when his forces had remained immovably faithful to the Allies.

May 3, 11 p.m. He proposes sending special delegates to London to facilitate negotiations. The head of French Military Mission here, Lieutenant General Mangin, has proposed to General Wrangel to take [omission] the function of negotiating between the Soviet and Wrangel but his proposition [omission] accepted. With such knowledge as I have of the situation here I would urge that our Government do everything it possibly can to approach [*obtain?*] an armistice in Crimea until passions cool. Otherwise, I am convinced that this already sorely tried people must suffer indescribable misery and wretchedness, most of which will fall on innocent sufferers. McCully."

BRISTOL

861.00/6912 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *May 16, 1920.*
[Received May 18—6 : 17 p.m.]

337. Following from Admiral McCully, Sevastopol.

"52. May 16, 4 p.m. During the last month conditions in Crimea have greatly improved. Confidence and morale restored and in all activities there is evidence of system, order and purpose. Order is rigidly maintained and executions even too frequent. Commercial activities renewed, [cargoes coming in and] going out and living conditions easier although financial conditions are very bad. Military forces number about 80,000 men, of which 5,000 are mounted troops, and 300 guns, now organized as regular forces in number of units of former designation "vilayets army" being abolished; 60,000 more men available from military service which has been postponed as unnecessary at this time. Army very short in field transport and artillery ammunition but constitutes formidable force and likely soon to start offensive. Unofficially informed armed yacht have [*has*] been added to naval forces and 2,500 workmen in naval

arsenal busy getting ready other vessels. Russian commercial vessels have been surveyed by a board composed of British and French naval officers with the probable view of taking over control."

BRISTOL

861.00/6925 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *May 22, 1920.*
[Received May 24—5 p.m.]

345. Following from Admiral McCully, Sevastopol:

54. May 22, 10 p.m. On May 20 and 21 visited Crimea front accompanying General Wrangel. Positions occupied by his forces have been greatly strengthened. Troops are in excellent condition and have good spirit. However there is no such concentration near front as might indicate early offensive operations by Wrangel forces.

Mr. A. T. Burri [14] arrived in Sevastopol May 21, noon, under instructions from United States High Commissioner, Constantinople. McCully.

BRISTOL

861.00/6949 : Telegram

The Consul at Tiflis (Moser) to the Secretary of State

TIFLIS, *May 25, 1920—noon.*
[Received May 31—4:47 a.m.]

45. British mission confirms telegram from Admiral Hope reporting that on May 18th large Bolshevik force entered harbor of Enzeli and demanded surrender. British endeavored to parley but were compelled to retire in the face of superior numbers. All ships and stores at Enzeli seized by the Bolsheviki who now occupy strip along littoral 10 miles deep.

Four civilians including one employee of the Near East Relief have slipped through from Baku. Report Polish mission arrested and rumored to be murdered. Other missions and foreigners under detention, stripped of uniforms, and alleged to be compelled to clean streets. All foreign flags destroyed and two cars medical supplies Near East Relief confiscated. Town orderly, well policed, no violence or robbery. Bolsheviki shipping flour and oil to Astrakhan and entire population threatened with food famine. Negotiations for removal of foreigners so far without success.

MOSER

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[14] Vice consul at Constantinople.

861.00/6983 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE [*undated*].
[Received June 4, 1920—1:32 p.m.[15]]

349. Following from Admiral McCully [,Sevastopol].

55. June 1, 8 p.m. Following is message dated May 29 from British Commander in Chief, General Milne, to head of British Mission Sevastopol:

"You will send the following communication to General Wrangel in writing on behalf of the High Commissioner and no conversations on the subject will take place between you and General Wrangel.

'The British Government instructs me to make it clear to General Wrangel that he must not expect another phase in British policy as a result of the Polish offensive.[16] His Majesty's Government is determined to endeavor to bring hostilities in South Russia to a close as soon as possible. The Soviets have accepted British proposals for negotiations on the basis of general amnesty. Lord Curzon is replying that he is anxious for the negotiations to begin with as little delay as possible.

'The British Government considers that the negotiations should be carried out in South Russia. His Majesty's Government has asked me what I consider is a suitable place for these negotiations and I shall be glad to [inform it of] General Wrangel's opinion on the matter. I am instructed to explain to General Wrangel that he is not being left to negotiate alone with the Soviet Government. Lord Curzon is sending out a political officer as soon as possible to assist General Wrangel and meanwhile the Soviet Government has agreed to the participation of the British military representative.'"

[BRISTOL]

861.00/6984 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE [*undated*].
[Received June 6, 1920—12:31 a.m.[17]]

353. Following from Admiral McCully, Sevastopol:

"56. June 3, 8 p.m. Your 56 [*57*].[18] There is no intention on the part of South Russian forces to attack Odessa and no pressing from British to make them do so. However if Ukrainians will also attack Odessa or Kherson or Nikolaief General Wrangel is ready to assist them with his naval forces. According to information here capture of Odessa would not be difficult but would depend principally on strength of Ukrainians. It is not thought by the Russians here that

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[15] Telegram in two sections.
[16] For papers dealing with the Polish-Russian war, see pp. 370 ff.
[17] Telegram in three sections.
[18] Not printed.

Petliura is very strong amongst his own people or he would have taken Odessa some time ago, the Red garrison there being weak and composed only of local Bolsheviks. General Wrangel's policy is this, not cooperate in a military way with the Poles or with any other anti-Bolshevik forces, to refrain from interference with territory occupied by other anti-Bolshevik military forces and to concern himself only with territory occupied by his own troops. He does not wish to commit himself to settlement of political frontiers at this time.

June 3, 7 p.m. In regard to British demand to begin negotiations with Soviets. In my number 55 of June 1st General Wrangel states that he is resolved, at whatever cost, not to enter into such negotiations, as he cannot trust in good faith of Bolsheviks. He is now considering answer to British proposals and realizes that categorical refusal means definite withdrawal of British from South Russian affairs, a suitable occasion for doing so having been long sought by them. This will leave Wrangel in a very difficult position as regards oil and coal for fuel, military supplies, and food, conditions regarding which grow more serious daily, so that his answer may be an attempt to temporize. Japanese have sent one cargo coal but British furnish no more supplies although British naval vessels continue to lend support in operation about Kertch. British mission here is being reduced and by end of June is expected to include only a few officers. Lieutenant General Mangin head of French mission is ordered to return to France and leaves with staff June 4th but in Crimea will be left mission consisting of two subordinate officers.

June 3, 8 p.m. General Wrangel's forces are now in good shape and an offensive will probably take place soon to try to improve food conditions. As a serious operation such a movement in my opinion seems premature and could only be justified by a well founded belief in near approach of collapse of Soviet government, of which no indications here. Besides forces so employed would have great difficulty in establishing contact with other anti-Bolshevik forces and without British or other support would undoubtedly soon suffer from lack of military supplies. At root of all Wrangel's difficulties is financial question, indicated by fact that 15,000 roubles must now be paid for one pound sterling when a month ago rate was only 6,000 roubles. If economic and financial conditions could be ameliorated the Crimea could be held indefinitely and form point from which a decisive blow could be struck at Soviet rule when time is opportune. Military features of this message discussed with United States military observer who is in agreement. McCully."

[BRISTOL]

861.00/6986 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE [*undated*].
[Received June 6, 1920—6:23 (?).[17]]

354. Following from Admiral McCully, Sevastopol:

"57. June 4, 8 p.m. Following is message from British High Commissioner Constantinople to General Wrangel dated June 3d.

'His Majesty's Government are a great deal disquieted by rumors of your intention to take the offensive against the Bolshevik forces. I am [directed] to inform you that if you attack, his Majesty's Government's plans for negotiating with the White [*Soviet*] Government will inevitably fall through and His Majesty's Government will be unable to concern themselves any further with the fate of your army.'

General Wrangel has left for the front to take charge personally of an offensive in the direction of Melitopol. He has not yet answered British message but his answer will be that the offensive had already begun and movement could not be recalled. In regard to General Wrangel's attitude toward Polish it is not at all hostile and he has no plans for attacking them but on the contrary expects to cooperate with them. However there is a general uneasiness in Russian opinion regarding a too great extension of Polish advance into Russia, and Soviet Government has taken advantage of this to make it appear that fighting for the Soviets is really to reprove [*repulse*] a foreign invader. To combat this idea is one reason of Wrangel's advance at this time. McCully."

BRISTOL

861.00/6893 : Telegram

The Secretary of State to the Ambassador in Great Britain (Davis)

WASHINGTON, *June 10, 1920—7 p.m.*

610. Admiral McCully, Crimea, telegraphs following message from British Commander-in-Chief, General Milne, dated May 29, to head of British Mission, Sevastopol:

[Here follows message contained in telegram no. 349, undated, from the High Commissioner at Constantinople, printed on page 601.]

You will note statement Wrangel not left to negotiate alone, political officer being sent to assist, and participation by British military agent. You may discuss these negotiations in general with Foreign Office and endeavor to form an opinion as to how far it constitutes entry into political relations with the Soviets, which

[17] Telegram in two sections.

British Government has steadfastly claimed it did not envisage and what consequences, in this sense, British participation in these negotiations is likely to have.

COLBY

861.00/6983 : Telegram

The Secretary of State to the High Commissioner at Constantinople (Bristol)

WASHINGTON, *June 11, 1920—1 p.m.*

72. For Admiral McCully.

Your 55, June 1st.[18] Is Department to understand that Wrangel's negotiations with Soviets, proposed by British, look to mere armistice with continuation Wrangel's control of Crimea, or extension of Soviet rule over Crimea with amnesty to Wrangel's forces?

COLBY

861.00/7033 : Telegram

The Ambassador in Great Britain (Davis) to the Secretary of State

LONDON, *June 15, 1920—1 p.m.*
[Received June 15—9:20 a.m.]

943. Your 610, June 10, 7 p.m. Offer to assist Wrangel in negotiations for peace was provoked by his request for support as successor or survivor of Denikin, thereupon matter taken up with Soviet whose replies were truculent [garbled groups]. Soviet finally agreed to discuss terms and British planned to send a military man and a civilian to assist Wrangel without, however, recognizing Soviet. Later Wrangel started recent offensive on his own initiative and British have notified him that they no longer assume any responsibility toward him and have ordered withdrawal of their military mission from Crimea.

DAVIS

861.00/7040 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *June 15, 1920.*
[Received June 16—1:35 p.m.]

361. From Admiral McCully [,Sevastopol]:

"60. June 15, 3 p.m. Your 73 [72], June 11, 1 p.m. to American Commissioner, Constantinople. No conditions formulated by either

[18] *Ante*, p. 601.

British or Wrangel, but Wrangel would not consent to accept Soviet rule in Crimea. He stated that after surrender of his troops at Sochi on May 5th the Reds promised amnesty and then on various pretexts shot the officers and committed usual atrocities so that it is impossible to trust any engagement entered into with them and that he cannot himself enter into direct negotiations with them. In my opinion Wrangel would agree to conditions which would leave him in the control of Crimea and of that part of Tauride province south of Melitopol Kakhovka line which is now midway between his forces, provided the conditions were insured by guarantee of some great power. Such solution would give time to consider a more permanent arrangement and would be the best solution of present difficulty. McCully."

[Bristol]

861.00/7076 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

Constantinople, *June 24, 1920—6 p.m.*
[Received June 26—8 : 54 a.m.]

378. Delegate of the armed forces of South Russia in Constantinople called and communicated certain information from General Wrangel who has just returned to the new front. General Wrangel intends to hold the lines he now has and will not attack unless he gets word that the Bolsheviks are going to attack him. Under such circumstances he must attack and not lose the initiative. When he took the present offensive it was because he had received information that the Reds were to attack him in the Crimea and therefore he attacked to gain the initiative. He informed the British representatives of this fact at the time. He now informs the British Government that he will hold these lines and in accordance with the agreement with the British Government will not attack unless he gets word that the Reds are about to take the offensive. Likewise he expects the British Government will stand by its agreement to support him in case the Reds attack.

General Wrangel also desires to make it plain that he does not consider that any guarantees given by the Reds could be relied upon and he had informed the British Government he is willing to accept their guarantees only if the necessary power to enforce them is assured.

General Wrangel states that with this new territory the food situation in the Crimea is relieved and there will also be wheat for export.

The Reds have been using asphyxiating gases in this last offensive. General Wrangel desired to point out that this is a crime in humane warfare and has been recognized as such when the Germans used it in the late war. He hopes that something can be done to prevent its use by the Reds.

The delegates requested that I convey this information to my Government.

BRISTOL

861.00/7321

The Special Agent (McCully) to the Secretary of State

SEVASTOPOL, *July 31, 1920.*
[Received September 8.]

Subject: Policy of South Russian Government and Probabilities of its Success.

1. On assuming charge in April 1920, General Wrangel made no declaration other than the statement that the Policy of his Government must be judged from its performance.

Considering the means at its disposition, and the difficulties to be overcome, the accomplishments of the Government have been remarkable. In its territory there is Peace and Order, in appearances the conditions seem almost normal, and even something like content is becoming manifest.

2. Since assuming charge, there have been at various times statements bearing on Policy. In communications to the British Government, General Wrangel has stated that it was his purpose to organize, in the South of Russia, a healthy nucleus about which all elements favoring Law and Order might group themselves for the redemption of Russia from the anarchy and chaos of Bolshevik rule. He expects to accomplish this more by force of the development of a sane and patriotic Public opinion, than by Armed Movements—anything like a Military "On to Moscow" movement he expressly deprecates as inadvisable and impracticable. He has stated that he concerns himself only with territory actually occupied by his forces, and that he does not wish to take up the question of settlement of Political Frontiers at this time. He has made special efforts to establish friendly relations with all other sections of the former Russian Empire, and has officially declared against anything like the Denikine Policy of making war against any section which would not admit his authority.

The old Denikine fetich of "Great, United, and Indivisible Russia", in name of which war was made on Ukrainia, and many

socalled "traitors" were executed, is not included in any principle advocated by Wrangel. His attitude toward other sections which cooperate with him is indicated by the present relations with Don, Kuban and Terek territories, whose military forces form part of his Armies, but which are entirely independent in their internal affairs. This arrangement forecasts Wrangel's scheme for reconstituted Russia, which would probably be in the form of Federated State, with liberal powers of self government to the various sections.

The Policy of the Wrangel Government is best set forth in a communication to the French Government "A".[18]

3. Amongst Wrangel's supporters are naturally numbers of men whose sympathies are undoubtedly with Monarchism, and others who go further and can only be regarded as "reactionaries". Wrangel's reforms have been limited by these elements, which though strong in opposition have not yet become, a controlling influence. The creed of the "reactionaries" is first of all "Absolute Power to Special Classes", and they are Monarchists as offering the most available means for attaining their end, and "old regime" on account of intellectual incapacity to imagine any other form to which such attainment might aspire.

There are also Monarchists, who honestly believe that a Constitutional Monarchy is the only form of Government which has any hope of success in Russia. There is but little doubt that General Wrangel personally is in favor of a Monarchical Government in Russia, though officially he states that his personal preferences shall have no influence, and that "he will subordinate himself absolutely to the Will of the Russian People".

Whatever may be the varying views about what should be the future Government of Russia, it seemed essential that at this time there should be no official influence operating to the prejudice of any particular form, before there had been some expression of the Russian National Will in regard to it.

4. However there had been several incidents which seemed to have a trend in this direction. The first occurred in a Proclamation "B" of General Wrangel, promulgated on May 25, explaining the purposes for which they were fighting, one of which was stated to be "That the Russian Nation may choose its own Xozain". Emphasis was laid on "Xozain" by printing this word in heavy black letters.

According to the dictionary, "Xozain" means "Master of the House, Proprietor, Owner". It is also used in the sense of Manager or Administrator, and "Xozaistvo" means in official sense "Administration". For instance the Soviet Government has the "B.C.H.X.", or literally "Highest Soviet National (Economic)

[18] The lettered enclosures accompanying report are not printed.

Administration", or freely translated "Supreme Economic Control". However the political signification of "Xozain" is not clear, and the special emphasis given the word in the Proclamation, led many to believe that it referred to a Monarchical Ruler. No explanation was ever given to its signification, and it was regarded as a rather delicate subject. The Proclamation made a strong impression, but created no marked enthusiasm, and was generally regarded as a political blunder.

Another incident occurred when, on occasion of their Regimental fete, June 3, 1920, the Mounted Grenadier Guards had a mass celebrated for those who had died "For the Faith, the Czar, and the Fatherland". One newspaper asked "What Czar?" This was answered by the statement "The Mounted Grenadier Guards always died, and will die for that Russian Czar, who was, and who again will be". Signed by officers and soldiers of the Mounted Grenadier Regiment. "C".

A third incident occurred on July 12, when a new newspaper was published in Sevastopol, the "*Russkaya Pravda*". In big headlines over its title was,—"Our Motto—For the Faith, the Czar, and the Fatherland". In view of the very strict censorship, such incidents had more political importance, and might almost be regarded as expressions of official opinion.

5. Accordingly in order to have some official expression of opinion about these incidents, I asked for a personal interview with General Wrangel, whom I saw alone on July 14. I showed him the three newspaper clippings, and informed him that they indicated a sentiment about which I felt it necessary to inform the Department, and asked him if he wished to make any statement in regard to them, or in regard to his own position. I said that it had never been the Policy of the United States to interfere in the internal affairs of other countries, but that such incidents as the three mentioned, under the circumstances, would give the impression that his Government was countenancing a movement calculated to prejudice the character of the Future Russian Government in favor of one particular form, before the Nation had been given any opportunity to express its will.

6. General Wrangel answered that he was firmly resolved to give support to no such movement. As to the definition of "Xozain", he said he referred only to its Administrative signification, and although it would include a Monarchical Authority, it would equally well be applicable to a Republican Government, or to a Chief Administrative Authority of any character. In regard to the action of the Mounted Grenadier Guards, he apparently learned of that incident for the first time, and said that undoubtedly such sentiments did

exist amongst some of his officers, but that their influence in Political matters would not be permitted at this time. In reference to the "*Russkaya Pravda*" he said it would be the first and last issue of that paper, and that he would hold the Censor responsible for permitting this stupidity. In entire interview General Wrangel seemed entirely honest and straightforward, as indeed has been his character in all our relations.

In the course of the interview General Wrangel stated that he was ready to accept any Government freely decided on by the Russian Nation. I asked him if he would accept a Soviet Government if that form were preferred by the Russian Nation. He said he thought it impossible that the Russian Nation, if given a free choice, would elect such a Government, but that if it did he would submit to it, but not if it were headed by the persons now in control. He said that he could accept a Soviet Government of which General Brussilov might be the head.

7. In a Proclamation of July 15, the publication of "*Russkaya Pravda*" was suspended, the Chief Censor reprimanded, and the Censor responsible for permitting the issue of the newspaper was dismissed.

On July 18, in *Velikaya Rossia*, was published an interview with Commander-in-Chief "D" taking up the questions which I had discussed with him, and also stating his position on the Jewish question, about which however I had said nothing to him. This interview was subject of long editorials in each of the three principal Sevastopol newspapers, which pronounced it most opportune, and approved it enthusiastically. It was also translated into other languages, and forwarded to Wrangel Missions abroad.

Later another order was published forbidding Army and Navy officers or soldiers from joining Political organizations, or attempting to influence future Political Policy.

In regard to these incidents General Wrangel seems to have done all he could to remove any impression that he was personally countenancing a Monarchist Movement.

8. General Wrangel's position is now very strong. His forces have grown enormously since June 1 and are in excellent spirits. They are well equipped, well disciplined and are led by capable, experienced, and resolute leaders. In every serious operation Wrangel is with his men at the front. He has succeeded in completely breaking up the Red organizations as they existed in the South of Russia on June 1, and has captured in prisoners a force equal to the force with which he began operations. He has won the good will of the civil populations, and has taken steps to let remainder of Russia know about this, and about his Land Law, and his Lib-

eral Programme. Wrangel believes himself invincible, and his officers and men also believe it. As a matter of fact in his military history he has never been beaten in any operation undertaken by him, and the title of "Always Victorious" has much justification, and as a force has much weight with his men, as well as with his enemies. He is not in the slightest daunted by Bolshevik prestige, and seems to have the most serene confidence in his ability to beat the Bolsheviks wherever he can find them. He occupies a strategic position in the Northern Tauride which gives him many advantages, and can expect real assistance from independent bands operating in that vicinity.

On the other hand, what has been accomplished has had to depend too much on Wrangel himself. He is fearless to the point of recklessness, and if anything should happen to him, it is doubtful if there is another leader who would be sufficiently strong to hold the movement together. And in the movement itself there cannot be discerned that spiritual influence which might carry it to success, even if deprived of a trusted and formidable leader. The movement is only united in a hatred of Bolshevism and Communism.

9. The Soviet Government disposes of forces perhaps ten times more numerous than those of Wrangel. Of them only a small portion, perhaps 20% at the maximum, are convinced Soviet adherents. During Wrangel's preliminary operations, the Soviet forces have been too much occupied with Poland, to use their full strength against him. To bring them to bear against him will require some time even after the question of Poland is settled, for transportation and supply in Soviet Russia are undoubtedly at the point of entirely breaking down. However the determination of the Soviets to crush Wrangel is undoubtedly unshaken. They probably will not arrange an Armistice with him, for his practical propaganda has now more strength than their printed appeals, and promises which are now discredited. The Soviets certainly will, as soon as it may be possible, endeavor to make an end of the only remaining resistance to their power, and only a miracle can save Wrangel. He has accomplished what he has by the performance of miracles, but must continue to perform miracles if he is to win. If there is sufficient discontent and distress in interior of Russia to prevent Soviets using their full strength, Wrangel will have a chance, but unless there is, the best he can hope for after making such fight as he may be able, is to retire to Crimea and hold it as long as possible, which may be for another year.

10. At this time the only solution of these conditions, other than a struggle to the death between the two forces, is an Armistice arranged under guarantee of the Great Powers, by which Wrangel would be entitled to retain under his control the territory he now

possesses to organize and consolidate it, and to demonstrate practically whether his methods or Soviet methods are most trusted and favored by the Russian Nation.

N. A. McCULLY

861.01/229

The French Chargé (Béarn) to the Secretary of State

[Translation]

WASHINGTON, *August 12, 1920.*

MR. SECRETARY OF STATE: The French Government has instructed me to inform Your Excellency that, the Government of General Wrangel having given the French Government assurances regarding the democratic form of his administration and respect for previous engagements of the Russian state, the President of the Council and Minister of Foreign Affairs has notified the Chargé d'Affaires of Russia at Paris that he has decided to recognize *de facto* the Government of South Russia.

Consequently a French diplomatic agent will be charged with representing the French Government at Sevastopol, with the title of High Commissioner.

Please accept [etc.] BÉARN

861.01/228 : Telegram

The Ambassador in Great Britain (Davis) to the Secretary of State

LONDON, *August 12, 1920—5 p.m.*
[Received 12:50 p.m.]

1218. Greatest perplexity exists in official circles here regarding French recognition of Wrangel. General idea appears that France has taken independent action. No official statement yet forthcoming; House adjourned until Monday. Paris informed.

DAVIS

861.00/7252 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *August 17, 1920—noon.*
[Received August 18—5:30 a.m.]

The Russian delegate of Wrangel in Constantinople called especially to express much satisfaction regarding the demands of circular

of August 10th [22] giving statement of the facts on the situation presented by Russian advance into Poland, etc. From information received here independently and in addition information from McCully indicating American prestige stands high in Russia both Bolshevik and anti-Bolshevik. The action of our Government in opening up trade with Soviet Russia and by issuing Department's circular of August 10th will increase this prestige unless the acts should be misconstrued to indicate that we were joining with the European countries in such action. From direct information, especially close to Wrangel, it is my belief that action of French in recognizing Wrangel is looked upon with suspicion. Information not confirmed that British and French representatives have proceeded to Crimea for conference with Wrangel and at this conference a proposition will be made to supply Wrangel with munitions of war and grant him American credit and in return the British and French would have monopoly of trade in raw materials from Wrangel territory. This indicates England and France again intriguing for monopoly of trade in the same way that they intrigued when assisting Denikin. Such action will injure Wrangel's cause. The Russians are a family fighting among themselves that will all turn on any outsider that interferes. Thus, long ago it was known that all Russians were opposed to the Polish offensive and it was this offensive that gave new life to Bolshevism. The fact that Wrangel was deserted by the European countries increased his prestige and likewise increased the chances of his winning against Bolshevism. Therefore, in view of all these facts I strongly recommend that our Government continue her present course of independent action with relation to Russia and prevent in every way any impression that we are aiding European countries in their selfish purposes towards Russia. We should require European countries to follow our lead as we have now taken it. Repeated to Paris.

BRISTOL

861.01/232a : Telegram

The Secretary of State to the High Commissioner at Constantinople (Bristol)

WASHINGTON, *August 27, 1920—6 p.m.*

48. For McCully.

This Government would be very much interested to receive a fairly explicit and comprehensive statement by General Wrangel of

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[22] Department's telegram of Aug. 10 to various American missions abroad, p. 468, quoting the note addressed on the same date to the Italian Ambassador, p. 463.

his policy and aims. The following questions suggest the character of the information desired:

1. Is the United States correct in its understanding, based on its present information, that General Wrangel's exclusive aim is the restoration of Russia on the basis of a free expression of the will of the people; that he is pledged to the creation of a Constituent Assembly, to be elected by equal and direct popular suffrage?

2. Does General Wrangel specifically disavow any intention to impose upon Russia an unrepresentative government, ignoring the sanctions of popular acceptance and assent?

3. Is this Government correct in interpreting recent declarations of General Wrangel to mean that, realizing the mistakes made by Kolchak and Denikine, and profiting from their experience, he does not regard the establishment of law and freedom in Russia as primarily a military task; that he places first and foremost the organization of production and the satisfaction of the needs of the peasants, who constitute the great majority of the Russian people; that with this object in view General Wrangel is organizing and training an army, not for an extensive war against Bolshevism along the lines attempted by Kolchak and Denikine, but to protect against attack the nucleus of national regeneration; that, in short, his attempt is to create a centre of political and economic order and constructive effort, around which Russian groups and territories may gather freely and of their own desire?

4. Our information is that General Wrangel is introducing behind his lines local self-government, by means of popularly elected Zemstvos and other democratic agencies, and that, in particular, he is seeking to solve the land problem in an orderly manner by consolidating and validating the ownership of the lands by the peasants. Is this information correct?

5. Is there a considerable number of refugees now dependent upon General Wrangel's protection against the Bolsheviki? Approximately how many such refugees are there, and to what classes and groups do they in general belong?

6. Is the United States justified in concluding that General Wrangel, although believing his movement to be the present centre of Russia's efforts at self-restoration and the recovery of unity and national life, does not at the moment profess or claim to be the head of an All-Russian Government; that he does not, at present, ask or expect recognition as such; that he does not regard himself as authorized to make treaties intended to be binding upon any Russian government that may be set up, nor to grant concessions or otherwise dispose of the national domains and riches?

7. Is the recent declaration of the policy of this Government satisfactory to General Wrangel, both as regards Poland and the maintenance of the unity and integrity of Russia?

8. What are the safeguards, if any, which General Wrangel feels can be relied upon, and which may assure other nations, that General Wrangel will be able to pursue the policy of building up that

portion of Russia which comes under his jurisdiction without permitting its development into either military adventure or political reaction?

. . . . . .

COLBY

861.00/7317 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *August 31, 1920.*
[Received September 6—8:47 p.m.[24]]

473. Following from McCully [,Sevastopol?]:

"72. August 31, 10 p.m. On Tauride front fighting has been continuous during the past two weeks, Reds being on the aggressive. Wrangel forces still hold original line between Dnieper and Azov but losses have been severe and troops have been fighting continuously behind hand [*sic*] three months. Reds also made strong drive across lower Dnieper, penetrating about 50 miles into Wrangel territory but are now being slowly driven back. Reds have used all their reserves including [garbled group], students from military schools and detachments from Polish front. In the Kuban the Wrangel expedition has suffered some set back and population has not been over enthusiastic but operations there are continuing with increased forces. Wrangel captures during period August 16th to 31st, include 5,000 prisoners, 12 guns and 51 machine guns.

Elections are being carried out and population shows interest in management. Most serious difficulty with Wrangel Government is financial, the pound sterling now being worth 100,000 rubles causing increase of prices and making impossible for officials, army and workmen to live on rates of pay established when pound sterling was worth only 10,000 rubles, much dissatisfaction arising in consequence. Government is very anxious to conclude a loan and will offer special privileges in trade as inducement. Matter is being discussed with British and French but no decision taken.

Financial administration has managed to keep army and population supplied but operates on unsound principles so that expenditure of any loan made must be under the supervision of lender. Resources of Crimea are sufficient to justify loan of $10,000,000 and if financial difficulties were solved Wrangel, in my opinion, could hold Crimea indefinitely. Commerce lately has been very active mainly with British and Greek firms although American foreign trade corporation has also begun business in Crimea.

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[24] Telegram in four sections.

Wrangel has not yet won active support of majority of peasant population which is not antagonistic but is restrained by doubts of his final military success and fear of Red reprisals if they join Wrangel and he then fails. If convinced of Wrangel's success, 90 percent of the population would gladly join him and his government, if not everything it should be, would be still superior to present Soviet regime. Wrangel is particularly well disposed toward America and would be receptive to any suggestions from the United States Government. Opinions expressed are not the result of consultation with Wrangel Government.

British naval vessels are now active in Crimea waters, there being at present two battleships (seven?) cruisers and five destroyers in Crimea ports but their policy of observation only remains unchanged. Diplomatic representative of French Government has not arrived yet. McCully."

BRISTOL

861.51/809 : Telegram

The Ambassador in France (Wallace) to the Secretary of State

[Paraphrase]

PARIS, *September 3, 1920—2 p.m.*

[Received 3:34 p.m.]

1645. Department's no. 1431, August 31, 8 p.m.[25] Paléologue has personally assured me that Wrangel has received no loan from the French Government although that Government has given some assistance in military supplies, munitions, tonnage, etc. I will soon be able to send you the official declaration of policy made by General Wrangel upon which he was given support and recognition by the Government of France.

WALLACE

861.01/236 : Telegram

The Ambassador in France (Wallace) to the Secretary of State

PARIS, *September 4, 1920—2 p.m.*

[Received 11:04 p.m.]

1652. Supplementing my 1645, September 3, 2 p.m. Foreign Office has transmitted to me telegraphic message communicated by Russian Embassy in Paris which determined Monsieur Millerand to recognize Wrangel Government. Following summary: Considering itself as representative of the state and national ideas, the Government of South Russia holds itself responsible for engagements of all former

[25] Not printed.

Russian Governments. Agrarian reform is being effected on the broadest basis: land is transferred to peasants in full ownership. In the political [sphere] principal aim followed by the Government is to [give to] the people the possibility, as soon as practicable, of determining the form of government by free expression of their will. As a first step in this direction the local administration by virtue of a decree dated July 15 has been confided to local powers (Zemstvos) elected on a democratic basis.

WALLACE

861.00/7329 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *September 4, 1920.*
[Received September 8—9:45 a.m.]

476. Following from Admiral McCully [,Sevastopol?]:

"74, September 4, 5 p.m. Wrangel forces gradually withdrawn from Kuban ostensibly on account of Polish successes as the Tauride front now would become of more importance. However, these forces in Kuban met very strong resistance, had heavy fighting within 30 miles of Ekaterinodar, could make no further headway. In spite of considerable losses, and due to accessions in Kuban the expedition returned with about double the strength with which it landed in addition to several thousand prisoners. On Tauride front Reds have been driven back across Dnieper with considerable losses. Wrangel's continues to hold original line between Doane [*Dnieper?*] and Sea of Azov.

Work of distribution of land to peasants and carrying out of Zemstvo elections being actively carried on."

BRISTOL

861.01/238 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *September 8, 1920.*
[Received September 9—10 a.m.]

478. [From] Admiral McCully [,Sevastopol].

75. September 8, 10 p.m. Your August 27, 6 p.m. Queries answered categorically in official French translation, copy forwarded by mail. Unofficial translation into English as follows:[26]

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[26] The translation has been corrected to accord with the text transmitted in Admiral McCully's despatch of Sept. 7, received Oct. 5; not printed (file no. 861.00/7474).

"1. General Wrangel has declared on different occasions that his object is to place the Russian people in position to express their will freely in regard to the future régime of the country. Consequently he wishes now to confirm once more his intention to achieve such conditions as will allow the convocation of a national assembly elected on the basis of general suffrage and by means of which the Russian people itself shall decide the form of government of new Russia.

2. General Wrangel has not the slightest intention of imposing upon Russia any régime which would act without the cooperation of national representation or without popular sympathy and support.

3. The interpretation of the recent declarations of General Wrangel in the sense that he does not regard the restoration of law and freedom in Russia as primarily a military task is fully justified. The series of reforms already realized prove on the contrary that General Wrangel attaches a primordial importance to the work of reconstruction of the state and to the satisfaction of the needs of the peasants, who constitute the great majority of the Russian people. It is precisely with the object of furthering the peaceably constructive work of the Government that General Wrangel has refrained from giving precedence to an extension of the front of his armies facing the Bolsheviks, but tends instead to insure the integrity of the political and economic center built up on the territory occupied by the Russian Army as well as in the Cossack provinces which are allied to him in close union. The preservation of this healthy nucleus is indispensable with a view to its serving as a center of gravitation around which may gather and develop freely the subsequent efforts of the Russian people tending to national regeneration.

4. The information regarding the reforms undertaken by the Government of General Wrangel for the introduction of cantonal Zemstvos and for agrarian reform is strictly correct. The former places local power and the management of local economic interests in the hands of the population itself, acting in this domain through the agency of freely elected organs. The law on cantonal Zemstvos will be followed within the shortest time by a law on district Zemstvos; both are destined to serve as a basis for the creation of a representative system of a broader character. Land reform is intended to solve the agrarian problem radically, and involves the lawful transfer of the cultivable land to the cultivators by means of repurchase; the land shall be transferred to private ownership so as to create a strong class of small landholders, which corresponds entirely to the ideals of the Russian peasant.

5. The number of refugees who have sought the protection of General Wrangel against the Bolsheviks is very great. It surpasses considerably 500,000 people for Crimea alone, to which an equal number of refugees scattered in the Near East, Egypt, and Europe must be added. The majority is composed of aged men, women, and children. All these refugees are in one way or another dependent on the support and succor of the Government of South Russia. If the integrity of the territory of the Government of South Russia came to be guaranteed, General Wrangel would consider it his duty to

facilitate the return of refugees to their native country so as to give them the opportunity to employ themselves in productive work. Refugees are composed of the most varied elements. They belong to all classes of population who have equally found it impossible to bear the Bolshevik tyranny.

6. General Wrangel believes that the Government presided over by him is the sole depository of the idea of national regeneration and of the restoration of the unity of Russia. He thinks nevertheless that only a government set up after determination by the National Assembly of the definite form of government of the state will be qualified to make treaties affecting the sovereign rights of the Russian people and to dispose of the national patrimony.

7. The declaration of policy recently made by the Government of the United States corresponds entirely to the political program of General Wrangel, both as regards the part dealing with the preservation of the unity and territorial integrity of Russia and as regards the part relative to Poland. General Wrangel already deemed it his duty to express to the Federal Government on that occasion his sincerest appreciation.

8. General Wrangel believes that the foreign powers by taking cognizance of the work achieved by his Government would be better able to convince themselves of the absolute groundlessness of any apprehension that activities of the Government of South Russia may come to degenerate into either a military adventure or a political reaction than by means of verbal declarations. As to the former eventuality, General Wrangel wishes to state that he is prepared to put an end to the civil war as soon as the integrity of the territory under his control, as well as that of the Cossack provinces, is effectively guaranteed and as soon as the Russian people oppressed under the Bolshevik yoke are placed in position to express their will freely. For his part, General Wrangel states that he is prepared to insure to the population of the territory which is under his authority the possibility of expressing its preference, being firmly convinced that this population will certainly not declare in favor of the power of the Soviets.

9. As regards himself personally, General Wrangel has already openly stated that his object consists in the achievement of a state of things which would give the opportunity to the people to manifest their will freely, and that he would bow without the slightest hesitation to the sovereign voice of the Russian nation."

I submit the following personal comment on these answers. Regarding question 4, these measures are being put into effect and are making fair progress. By end of September all land councils will be organized and elections completed. So far only a small portion of the land has actually been distributed. Although not as far reaching as American opinion might advocate they are acceptable to the peasants, meet bitter hostility of Reds and covert opposition of reactionaries. Regarding query 5 my estimate of refugees in Crimea is not over 300,000 while exact number of

refugees from South Russia in camps in various places about Mediterranean September 1st was 39,300. This does not include large number refugees from other parts of Russia scattered about Europe. Regarding query 6 Wrangel did not wish to state that he did not regard himself as head of an all-Russian government at this moment as this might imply his intention of becoming such at some later date. Present official title of Wrangel is ruler or director of South Russian Government and commander in chief of the Russian armies. He is really dictator with unlimited power. Undoubtedly both he and his Government earnestly desire recognition as *de facto* Government of South Russia and are disposed to look upon these queries as tending toward recognition. The inquiries were presented in my own name but this Government knows they were directed from Washington. I informed Foreign Office that there was no implication of recognition and in my personal opinion such recognition was unlikely. Regarding query 8 General Wrangel stated he did not mean that cessation of civil war must wait until the freeing of the entire Russian people from the yoke of Bolshevism. The relations of Cossack provinces to South Russia Government will make solution question regarding their status in case of negotiations for cessation of hostilities extremely difficult. A considerable portion of Wrangel's forces consist of Cossacks from Don, Kuban and Terek and he is bound to them by the ties which he cannot break. The Cossacks form a minority of three millions against five millions non-Cossacks in these provinces and the Soviet Government is not likely to acquiesce in the attachment to Wrangel and he cannot desert them. As regards plebiscite in Crimea and Tauride as to whether population would prefer Wrangel or the Soviets the large majority would probably be in favor of Wrangel for various reasons. General Wrangel himself is absolutely sincere, Krivoshein sees necessity of extension of Democratic principles, Struve is democratic by conviction, and general opinion in Government circles favors concessions to democratic principles. There is, however, reactionary element not large in number but very active which will go to any extreme to prevent such action. Under present conditions it would not in my opinion be advisable to hold elections for a representative form of government for the entire territory under Wrangel's control as military operations would be seriously interfered with and the mental attitude of population is in too confused and uncertain a state to make such elections truly indicative. In case of armistice or cessation of hostilities such elections should be held within three months after their beginning.

McCully
Bristol

861.00/7359 : Telegram

The Ambassador in France (Wallace) to the Secretary of State

PARIS, *September 13, 1920—5 p.m.*
[Received September 14—1 : 16 a.m.]

1694. Mr. Maklakoff, Russian Ambassador here who is leaving for the Crimea, came to see me on Saturday and stated that he had received word from General Wrangel that the American Government would give "economic assistance" to the Government of South Russia. This information having come to General Wrangel from McCully. Maklakoff added that this news had been confirmed by Bach, Counsellor of the Russian Embassy at Washington now in Paris who had conferred with the Secretary of State before leaving America. According to Maklakoff by "economic assistance" was meant goods of prime necessity, such as boots, clothing, and agricultural machinery for the peasants. He came to ask that if you do not advise news so hopeful to Russians is correct, there might be some understanding between France who is aiding the South Russian Government and the United States to study and coordinate their assistance. I promised Maklakoff that I would transmit this statement to the Department.

Many persons here of sound judgment, those in official circles and others, believe that if Wrangel is given the economic support above mentioned the downfall of Bolshevism would be hastened.

WALLACE

861.00/7359 : Telegram

The Secretary of State to the High Commissioner at Constantinople (Bristol)

WASHINGTON, *September 16, 1920—6 p.m.*

58. For Admiral McCully.

Department has received information that a statement, which it is inclined to discredit, has been made by several Russian sources here, in Paris, and in London, that you have informed Mr. Bernatski, General Wrangel's Minister of Finance, that the United States is willing to give economic aid to his government and you have asked him for a list of the supplies which are needed for the Crimea. This rumor is causing considerable embarrassment and the Secretary of State has said to the American Press: "There is nothing to that report and no foundation for it."

Please investigate the source of this rumor and inform Department immediately.

COLBY

861.00/7442 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *September 24, 1920.*
[Received September 25—9:12 p.m.]

500. From Admiral McCully.

"80. September 24, 4 p.m. Your September 16, 6 p.m. Following telegram has been sent September 23rd, by Minister of Finance Bernatski to Mr. Bakhmetieff in Washington.

'The news appearing in the press that Admiral McCully in an interview with me promised aid from the American Government to the Government of South Russia and even requested a list of needed articles is entirely different from the truth. The interview of McCully with me referred to question of trade exchange and no list was furnished to the Admiral. Signed Bernatski, countersigned Struve.'

McCully["]
BRISTOL

861.00/7586

The Russian Ambassador (Bakhmeteff) to the Secretary of State

WASHINGTON, *October 15, 1920.*

MY DEAR MR. SECRETARY: There is quite an element of historic irony in that the brilliant triumph of Polish imperialism at Riga is substantially indebted to Russian national effort. As a matter of fact the Polish campaign has been greatly assisted by the operation of the troops under General Wrangel. Moreso, one of the main reasons compelling the Bolsheviki to accept peace on practically Polish terms seems to have been the danger threatening the Red armies from the Crimea.

Furthermore, the Polish troops were directly assisted by a body of Russian volunteers, organized in Poland by Boris Savinkoff. This detachment, of quite considerable size, was formed with the approval and assistance of the Polish Supreme Command. The basis of the agreement was an Order of the Day by General Pilsudski that Poland was fighting Bolshevism, not Russia.

It is useless to comment on the moral issue of the situation. There is, however, an immediate practical danger in the developments in so far as the position of the Russian anti-Bolsheviki forces in South Russia is concerned. Irrespective of the apparent increasing decomposition of the Bolsheviki machine, the Bolsheviki may succeed in moving large contingents from the Polish front to the

South and attempt to annihilate the comparatively small body of General Wrangel's troops by overwhelming forces.

It would be an example of deep historic injustice if pacification in the west would be concluded at the price of crushing the national movement in South Russia and would result in murder and wanton revenge on the Russian patriots and refugees assembled in the Crimea.

The great Powers have watched silently the negotiations between the Poles and Soviets. Moreso, the very fact of suspension of hostilities has apparently been welcomed. It is only fair to assume under such circumstances that an attitude will be adopted toward General Wrangel's fighting forces which will at least allow the army in the South to use all means available to resist the Bolsheviki onslaught. In so far as the United States is concerned, it would seem essential from this point of view that such parties who would desire to assist General Wrangel would not be prohibited from shipping munitions and supplies from the United States to the South of Russia.

I am [etc.] B. Bakhmeteff

861.00/7645 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

Constantinople, *November 4, 1920.*
[Received November 7—4:34 a.m.]

557. From Admiral McCully [,Sevastopol?].

"86, November 4, 10 p.m. Red offensive began October 28th, main forces consisting of about 40,000 infantry and 15,000 cavalry moving from Kakhovka against Perekop and Sivash but not attaining either objective. Wrangel forces had already begun withdrawal from northern Tauride October 23rd, and completed it November 2nd, without serious losses. Troops holding together well. All Wrangel forces now concentrated in Crimea passage, strong detachments holding both Perekop and Sivash which are considered secure. So far public opinion is tranquil regarding retreat as inevitable under the circumstances.

Wrangel intends to fully secure position in Crimea, develop liberal government on lines already laid down, and await opportunity for further action. Red naval forces are again active in Azov Sea and control of this sea is undecided. The Azov is usually closed to navigation by ice from January until April. Naval forces now become important facilities in future operations and action of Wran-

gel naval vessels hampered on account of lack of fuel. Some uneasiness about grain supply for population of Crimea during the winter and no more grain will be exported. McCully. ["]

BRISTOL

861.00/7659 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *November 10, 1920.*
[Received November 12—12:10 a.m.]

568. From McCully [,Sevastopol?].

"No. 88. November 10, 4 p.m. Red forces attacked Perekop very heavily and Russians cannot hold out more than a few days more. Evacuation of Crimea is imminent and I most earnestly request that United States High Commissioner Constantinople be authorized to extend all possible aid to evacuate wounded and families of officers who without question will be subject to outrageous treatment. Any expense for handling refugees can be borne from the proceeds of cargo of American vessels now European waters already paid for by Russians and bound for Crimea. McCully."

BRISTOL

861.00/7660 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *November 11, 1920—6 p.m.*
[Received November 12—3:21 a.m.]

569. Reference McCully's 88 of November 10th, 4 p.m. This dispatch evidently refers to authority for High Commission to furnish aid with funds, because every possible aid is being given Admiral McCully, likewise all American interests in Crimea, by using naval vessels and every other means I legally can employ.

BRISTOL

861.00/7670 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *November 11, 1920.*
[Received November 12—8:18 p.m.]

573. From Admiral McCully [,Sevastopol?]:

"90. November 11, 10 p.m. Evacuation of Crimea inevitable and Sevastopol may hold out another week but hardly longer. I propose

to evacuate all Americans, American citizens, and proceed to Constantinople unless otherwise instructed. McCully."

BRISTOL

861.00/7681 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *November 14, 1920—3 and 4 p.m.*

[Received November 15—1 : 45 a.m.[27]]

576. Have just received personal appeal from Neratov, Russian delegate here, and Krivoshein, Russian Foreign Minister, for assistance for refugees now being evacuated from Crimea. They estimate about 20,000 refugees that are not part of military forces in any way. There are not facilities here to care for over a very few thousand by using everything possible. The misery and suffering of these refugees can be easily imagined. Any assistance given to these refugees would be the best kind of humane act.

I informed Russian representative that I had no funds and my Government could give none without act of Congress; also that all our naval vessels available were being sent and I would do everything I could for the sake of humanity. I have given orders that our vessels must not take on board any combatants and no acts undertaken must cause complications between the Soviet Government and our Government and our naval forces must only take action for the sake of humanity. I have transmitted Russian appeal to our Ministers in Roumania, Bulgaria, Greece and Servia requesting them to use good offices with the Governments to which they are accredited to obtain assistance for Russian refugees.

BRISTOL

861.00/7674 : Telegram

The Secretary of State to the High Commissioner at Constantinople (Bristol)

WASHINGTON, *November 14, 1920—8 p.m.*

105. Referring to your 568 November 10th transmitting McCully's 88, to your 569 November 11th and to your 572 November 11 transmitting McCully's 89 :[28]

Department has arranged with Shipping Board and with Russian Embassy here that Russian Embassy will meet expenses

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[27] Telegram in two sections.

[28] No. 572 not printed.

arising out of diversion of Shipping Board vessels now in or near Black Sea to transport Russian refugees from Crimea to adjacent places of safety whether such reimbursement to be made to Shipping Board itself or to private operators. You are therefore authorized in your discretion to employ such Shipping Board vessels as may be available to transfer refugees. Shipping Board informing its representative Constantinople.

Department understands from Shipping Board that following vessels now at or near following places: *West Saginaw* and *West Galeta* at Bourgas, Bulgaria; *Oshkosh* at Galatz, Roumania; *Sinsinawa* sailed Braila for Constanza October 25th; *Faraby* arrived Theodosia, Crimea, September 25th; and *Eastern Victor* sailed from Gibraltar November 3rd for Constantinople.

Department assumes you will in your discretion use naval vessels at your disposition to fullest extent your authority and is arranging with Navy Department to confirm this understanding to you.

American Red Cross will cooperate with you.

While this government considers main burden of assisting these refugees rests on France and Great Britain it desires to assist with available American vessels if needed. French and British Embassies here have accordingly been requested to inform their governments that this government looks to France and Great Britain to make necessary arrangements with proper governments for landing refugees. It would therefore seem desirable that you cooperate as fully as possible with proper representatives in Constantinople as concerns American participation.

Keep Department fully informed.

COLBY

861.00/7705 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *November 14, 1920.*
[Received November 17—9:17 a.m.]

581. From McCully [,Sevastopol?].

"91. November 14, 10 p.m. Without any fighting or disorder Sevastopol was quietly evacuated at 3 p.m. today and Reds have not yet entered city. About 20,000 Russian troops embarked in Russian vessels for destination unknown. General Wrangel was last to leave and now on crusier *Kornilov*. About 4000 refugees evacuated by French, 1000 by British, and 1200 on our naval vessels and American steamer *Faraby;* all undergoing great privation and entirely with-

out means. American Red Cross under Major Ryden did extraordinarily fine work. So far no place designated for landing refugees but French Admiral states that a place will be designated. All Americans are evacuated from Crimea. Unless otherwise directed I shall proceed to Constantinople."

BRISTOL

861.00/7694 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *November 15, 1920—12 noon.*
[Received November 16—10:18 a.m.]

580. Crimea is being rapidly evacuated by General Wrangel. The military forces as well as civilian refugees are being embarked on both merchant and war vessels. About 6000 wounded are to be evacuated and already a number of these have arrived in Constantinople. Our vessels are assisting to evacuate non combatants, some wounded and women and children. It is estimated that total number evacuated from Crimea will be about 40,000. There are accommodations in Constantinople and surrounding districts for about 5000, but the housing arrangements are bad and heating arrangements worse with fuel scarce and very expensive. The cold weather in this district makes it practically impossible to provide for the Russian refugees at this season of the year. Food and clothing is scarce here and most expensive. Thus providing for the refugees here would require vastly larger funds than in some other place where the climate is warm and the necessities of life more reasonable in price. The northern coast of Africa has been suggested for colonizing all these refugees. I recommend the northern coast of Africa or some warm climate and then combined effort in different countries to provide for these refugees until they can become self sustaining. This should be carried out with the understanding that the military forces thus evacuated are disarmed unless some country is willing to take these military forces and assume responsibility for them. Our ships are being used to aid in this evacuation for the sake of humanity but with strict orders not to become involved in direct antagonism with Bolsheviks. The *St. Louis* and six destroyers with one American merchant vessel are engaged in evacuation of American citizens, American Red Cross, together with Red Cross supplies and American merchandise and Russian refugees. Repeated to Paris.

BRISTOL

861.00/7711 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *November 17, 1920—noon.*
[Received November 18—2:45 a.m.]

583. General Wrangel has hoisted the French flag on the masthead of Russian ships of war and merchant ships to indicate that his army and fleet are under the protection of France. The French Admiral has accepted this procedure provisionally awaiting decision of his Government. Repeated to Paris.

BRISTOL

861.00/7676 : Telegram

The Secretary of State to the Ambassador in France (Wallace)

WASHINGTON, *November 17, 1920—6 p.m.*

1642. Your 1916. November 13. 7 p.m.[29] French representative Constantinople can secure from Admiral Bristol full details concerning instructions cabled him November 14 which are summarized below for your information and repetition to London:

Bristol authorized in his discretion to employ American naval and Shipping Board vessels in or near Black Sea to evacuate Russian refugees and to cooperate with representatives in Constantinople of Great Britain and France whom this government believes should bear main burden of evacuation. French and British Embassies here have been requested to inform their government that this government looks to them to make necessary arrangements with proper governments for landing refugees.

COLBY

861.00/7694

The Secretary of State to Princess Cantacuzene of the American Central Committee for Russian Relief [30]

WASHINGTON, *November 18, 1920.*

MADAM: I beg to enclose herewith, for your information, a paraphrase of a telegram received from the American High Commissioner at Constantinople, under date of November 15, concerning the evacuation of refugees from the Crimea.[31]

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[29] Not printed.
[30] The same on Nov. 20 to the Chairman of the American Red Cross.
[31] *Ante*, p. 626.

As you are no doubt aware, the State Department has no funds available for use in the alleviation of suffering among these refugees, and I am, therefore, calling the matter to your attention in the hope that your organization may be able to assist in taking care of these unfortunate persons.

I am [etc.]

For the Secretary of State,
NORMAN H. DAVIS
Under Secretary of State

861.00/7719 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *November 18, 1920—4 p.m.*
[Received November 19—7 : 05 a.m.]

591. From Admiral McCully.

"92. Left Sevastopol, embarked refugees from Yalta November 15th and arrived Constantinople November 16th. Greater portion of troops and refugees have arrived here but only a few Russian naval vessels. However it is not probable that any further military or naval operations will be attempted. In interview with Wrangel November 15th he expressed deep appreciation for the assistance given by United States and stated that he would send everything to Constantinople and endeavor to have his troops organized as part of the international guard of the Straits but impression here that this will not be agreed to by France and England. No destination yet determined on and about 30,000 people remains aboard vessels under deplorable conditions. Further continuance of mission under my charge seems unnecessary and instructions are requested.

I have with me seven Russian orphan children between 3 and 11 years whom I wish to bring to United States at my expense for education and adoption if possible. I have consent of children's relatives and of Russian authorities and request consul general at Constantinople be authorized to include their names and that of Eugenia Selivanova Russian nurse accompanying them on my own passport. I will be hereafter responsible for these persons.

Referring to your November 15, 5 p.m.,[32] Kilpatrick was seen by escaped Russian officer about midnight October 30th being led toward Kakhovka still dressed only in underclothing. Unless he succumbed to cold it is probable that he is a prisoner and still alive.[33]

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[32] Not printed.

[33] Capt. Emmett Kilpatrick, of the American Red Cross, was released from Russia Aug. 10, 1921.

Regarding Kratz [34] there is no further information but he was amongst friends who probably knew how to protect him and if not made prisoner may probably escape altogether."

BRISTOL

861.48/1303 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE [*undated*].
[Received November 19, 1920—9 : 54 a.m.]

590. With reference to the Russian refugees from the Crimea now in Constantinople, I would request the Department to authorize the American consul to visa the passports of any Russians from this group desiring to go to the United States, it being understood that the visa would only be granted to those Russians who, after a thorough investigation by this High Commission are considered to be entitled to receive the visa.

It was the consensus of the opinion of all Americans at a meeting held in the Embassy yesterday afternoon of representatives of American organizations here that these Russians would make most desirable emigrants for America, and I was urged to do all that I could to arrange for the entry of the desirable ones into our country.

BRISTOL

861.00/7723 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *November 19, 1920—5 p.m.*
[Received November 20—9 : 38 a.m.]

592. Thus far there have arrived in Constantinople 25 Russian vessels not counting vessels of war. General Wrangel has not yet arrived. The number of refugees and soldiers now in the harbor is estimated at about 100,000. The French are taking charge of the Russian refugees, the Italians are giving no assistance, the British residents as well as the Army and Navy are taking up a popular subscription and the remarks amongst the British generally is that they are disgusted that their Government does not render any assistance. All American institutions here have organized to render

[34] Clayton H. Kratz, member of Mennonite Relief Unit.

every possible aid by popular subscription by contributing old clothes and every other means available. Large sums of money are required to do effective work but practically none are available. The Red Cross is using certain funds left over from the Crimea appropriation. The crying necessity and the one which of first importance is to move these Russians from Constantinople as soon as possible to some place where they can be landed and proper relief measures rendered. The present plans to distribute these refugees and soldiers using Constantinople as a base is absolutely wrong where such numbers are under consideration and the ships are crowded like cattle ships with no accommodations for passengers. In many ships the people are standing crowded so they can barely move. Without complete knowledge of the countries I recommend that these Russians should be moved to some place on the north coast of Africa where they can be landed. I suggest if the Department deems it proper that our Government approach the French Government regarding the landing of these Russians in French territory on the north coast of Africa with the understanding that the American Red Cross would assist in providing immediate relief and that American vessels and other facilities would be used to assist in moving these Russians and later in distributing them according to a plan. It is impossible to depict in words the situation that exists in connection with these Russian refugees. It is estimated twenty to 300,000 [*30,000?*] more Russians are expected to arrive here.

BRISTOL

861.00/7724 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *November 20, 1920—4 p.m.*
[Received November 21—6:50 a.m.]

595. From Admiral McCully.

"93. Your 89, November 16, 5 p.m.[35] Primary cause of Wrangel defeat was failure of his Government to win active support of the people. Against thorough Bolshevik system of personal espionage and terror Wrangel had only the promise of decent government and the mass of Russians no longer believe in promises. Wrangel's reform laws remained largely on paper only, their execution being

[35] Not printed.

blocked by lethargy and even active opposition of reactionary elements amongst subordinate officials. Direct cause from military point of view was the Polish peace [36] which permitted Reds to concentrate heavy forces against Wrangel, this movement beginning early in October even before the armistice was signed. Wrangel forces in the middle of October were composed of 80 percent Red prisoners who were excellent forces in an advance but large proportion of which melted away during the retirement from Tauride. Contributory tactical cause was long continued strong northerly winds during the last week of October which drove water from northern portion of Crimean lagoons converting wide expanse of water 3 to 4 feet deep into practically dry land so exposing flank of fortified positions at Perekop. Across this area Communist detachments with machine guns drove heavy masses of mobilized peasants who overwhelmed the thinned regiments of Wrangel's army which nevertheless made a glorious defense. Red strategy was of high order, all forces being directed rapidly into one objective ignoring minor issues. Red cavalry and Communist regiments fought bitterly. Red forces estimated at 75,000 bayonets, 25,000 cavalry, Wrangel forces defending Isthmuses at 25,000 bayonets and 10,000 cavalry."]

BRISTOL

861.00/7681 : Telegram

The Secretary of State to the High Commissioner at Constantinople (Bristol)

WASHINGTON, *November 23, 1920—4 p.m.*

95. Your 576, November 14, 3 p.m. and 580, November 15, 12 noon. Action approved. Department regrets that no Government funds are available for support of refugees. For your confidential information: Russian Ambassador here has made $200,000 available to American Red Cross to assist it in this work.[37]

Keep Department fully informed.

COLBY

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[36] For papers dealing with the war between Poland and Russia, see pp. 370 ff.

[37] The Department was subsequently advised by the American Red Cross that the amount of the Ambassador's contribution had been increased to $300,000.

861.48/1287 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *November 26, 1920—noon.*
[Received November 27—10:20 a.m.]

605. Up to the present time information confirms the arrival in Constantinople total 110 Russian ships all classes with 139,200 refugees of which 110,000 are troops including 6,000 wounded. Remaining refugees are civilians. Many refugees are escaping from ships and Constantinople is becoming congested with them; 20,000 troops have been sent to Lemnos, 10,000 to Gallipoli and refugee camp is being established at San Stefano for several thousand. About 2,000 civilians were sent on American steamer *Eastern Victor* and on destroyer *Chandler* to Cattaro. Notwithstanding these measures for disposition of refugees, the ships in the harbor are terribly congested and the feeding arrangements and the sanitary conditions are very bad. With small amounts of naval rations available every assistance is being rendered to refugees and American citizens together with officers and men of naval vessels are contributing liberally but these means without other funds exceedingly little and can only ameliorate conditions of this disaster.

BRISTOL

861.48/1291a : Telegram

The Secretary of State to the Ambassador in France (Wallace)[37]

WASHINGTON, *November 26, 1920—6 p.m.*

1659. The Department of State has informally discussed with the French and British Embassies in Washington the critical situation of the refugees from the Crimea in Constantinople. It was pointed out that this Government looked to the French and British Governments as the ones primarily interested, to arrange for the disposition of the refugees, but that the United States, from a purely humanitarian point of view, would extend such facilities as it could for the transportation and relief of the non-combatant fugitives. To that end Admiral Bristol was instructed to cooperate with the British and French representatives on the spot and to use available Naval and Shipping Board vessels. Arrangements were also made with the Red Cross to extend all possible relief to the refugees.

Bristol telegraphed November 19th emphasizing the terrible situation of these refugees and the utter impossibility of giving them

[37] See last paragraph for instructions to repeat to London as no. 1182.

adequate care in Constantinople. He strongly recommends that steps be taken to evacuate these unfortunate people to points on the north African coast, where because of conditions of food supply and the more temperate climate, they could be cared for at much less expense, and where many of them might find opportunities for self-supporting employment, which is utterly impossible at Constantinople. As long as they remain there, they must be dependents.

You are instructed to communicate the above to the foreign office in the country to which you are accredited and inform it that this Government desires information as to the action it intends under the circumstances.

Repeat to London as Depts 1182 for similar action.

COLBY

861.48/1303 : Telegram

The Secretary of State to the High Commissioner at Constantinople (Bristol)

WASHINGTON, *November 29, 1920—5 p. m.*

99. Your 590, 19th.

Although thoroughly appreciating situation, Department regrets that under existing regulations it cannot authorize consuls to visa passports any Russians without reference here.

COLBY

861.48/1314 : Telegram

The Ambassador in France (Wallace) to the Acting Secretary of State

PARIS, *December 3, 1920—5 p.m.*
[Received December 4—3 : 16 a.m.]

1977. Contents of your 1659, November 26, 6 p.m., communicated to Foreign Office. Following is English translation of reply dated December 2nd.

"By a note under date of November 29 last handed on December 2nd to the Chief of Political and Commercial Affairs of the Ministry for Foreign Affairs, the Embassy of the United States of America has been good enough to inform the Ministry for Foreign Affairs that the Federal Government, inspired by humanitarian sentiments, is ready to furnish all facilities in its power for the transportation and assistance of the non-combatant refugees from Crimea in Constantinople.

To that end, Admiral Bristol, American High Commissioner at Constantinople, was instructed to cooperate with the British and French representatives and to use available ships of the American Navy and Shipping Board.

It was likewise understood with the American Red Cross that they would lend assistance to the refugees.

The French Government expresses to the American Embassy its gratitude for this highly humanitarian decision. It is informing thereof the High Commissioner of the Republic at Constantinople in order that the French civil, military and naval authorities at that city may coordinate their efforts with those of the American High Commissioner.

The Federal Government adds that Admiral Bristol has drawn attention to the terrible plight of the refugees and the impossibility of giving them adequate care as long as they remain at Constantinople. He recommends that measures be taken to evacuate them to points on the north African coast. The French Government thoroughly appreciates the necessity of relieving the congestion at Constantinople and of diverting the largest number possible of refugees towards neighboring countries. It has in that respect approached with the utmost urgency the Serbian, Greek, Roumanian and Bulgarian Governments which in response to its appeal have accepted likewise thousands of these unfortunates.

Efforts are being made to organize upon the spot the hospitalization of the other refugees and it is hoped notably to concentrate at Lemnos a considerable number of Russian soldiers who in fact will be disarmed and no longer considered as troops but as simple individual refugees.

On the other hand it is not possible to contemplate the transportation of Russian refugees to northern Africa. Very serious political reasons would oppose this solution. In view of the disposition of spirit of the Mussulmans there are serious objections to their coming into contact with afflicted Europeans whose morale is depressed by their lamentable situation and among whom, as certain signs show, only too well exist elements of discord which would be likely to work harmful influence over the Mussulman populations. Moreover, the conditions of food supply to northern Africa are not such as to allow a fresh influx of inhabitants. The French Government has therefore had to abandon the idea of sending refugees to that region. On the other hand, however, it is making every effort to relieve the refugees and the French military and naval authorities as well as the civilian authorities are devoting themselves as much as possible to the task of alleviating their misery. The French Government has even gone so far as to assume the burden of advancing the cost of evacuation which represents a considerable sacrifice. It will therefore welcome gratefully all the efforts which, in a high humanitarian intention corresponding well to their tradition, the United States of America may put forth on their side to come to the aid of such dire misfortune."

Copy by mail.

Upon handing the communication to Monsieur de Peretti in charge of the Foreign Office, he referred to the Department's use

of the word "non-combatants" and said that in the eyes of the French Government the *de facto* Government of Wrangel had ceased to exist, his army no longer existed and there were consequently no longer any combatants to be succored. They were all to be classed as refugees. French Government would not oppose the return of any of them if they so desired to the Crimea. His latest figures showed 135,000 refugees; 704 cases of typhus had broken out. French Government has advanced 1,000,000 francs for their relief.

WALLACE

861.48/1275 : Telegram

The Acting Secretary of State to the High Commissioner at Constantinople (Bristol)

WASHINGTON, *December 4, 1920—3 p.m.*

104. Your 587, undated.[38] Department informed Red Cross has now made available for relief of Russian refugees in Constantinople district, approximately $800,000.

DAVIS

861.48/1320

The Deputy Commissioner for Europe of the American Red Cross (Bicknell) to the Acting Secretary of State

WASHINGTON, *December 6, 1920.*

SIR: I have the honor to enclose herewith a copy of a cablegram received on the 4th instant, which summarizes the situation as regards Russian refugees in the Constantinople district.

Respectfully yours,

ERNEST P. BICKNELL

[Enclosure—Telegram]

The Commissioner for Europe of the American Red Cross (Olds) to the American Red Cross at Washington

[PARIS,] *December 1, 1920.*

22261. Summarizing Crimean refugee situation, Davis[39] reports evacuation began November 11th. First ship arrived harbor Constantinople 15th. French Government taking responsibility began

[38] Not printed.
[39] Representing American Red Cross at Constantinople.

send small rations to ships, but at first their organization worked slowly taking two days get food aboard, so that some refugees had practically no food for five days. American Red Cross therefore began supply half rations reaching ships in the course of few hours. Best record was sending 6,000 rations to one ship within twenty minutes after telephone call for assistance. This work prevented actual starvation.

November 17th. Admiral Bristol asked representatives Am[erican Red] Cross, Near East Relief, Y.M.C.A., Constantinople College, Robert College and others meet with American Government representatives. This conference decided:

1. Telegraph U.S. State Department asking assistance from Government and American charitable organizations.
2. Petition French High Commissioner transfer refugees milder climate.
3. Telegraph Washington requesting visas for selected Russian refugees to enter United States.

November 20th. Admiral Bristol, in view communication from Amcross, Washington, asking Constantinople Chapter to form Disaster Preparedness Committee, called second meeting and organized Disaster Relief Committee with Davis on Executive Committee. This committee functioning effectively, refugees landed from worst ships and Amcross supplying rations while ships cleaned under temporary control U. S. Navy, and refugees then re-embarked. Davis meanwhile continuing distribution food supplies, medicines, disinfectants to ships in harbor, and reports situation tolerable if food supplies hold out and he can care for sick. Today's cables to French Government however indicate situation Constantinople becoming more serious from health view-point, and grave outbreak sickness feared.

Transfer to other regions proceeding as indicated by following figures given us today by French Foreign Office:

Constantinople camps	36,000
Constantinople Hospital	4,500
Constantinople ships	40,000
Gallipoli	18,000
Lemnos	16,000
Bulgaria	2,000
Roumania	2,000
Cattaro	9,000
Enroute and miscellaneous	13,000
Total	140,000[*sic*]

whereof 103,000 soldiers and families, 7,000 wounded, 30,000 civilians.

Admiral Andrews requested Amcross assistance handling Adriatic end. Food, medical supplies, clothing from Amcross stores Salonika now being despatched Cattaro, and two Amcross representatives from Paris headquarters leaving immediately with francs 200,000 from Russian Embassy fund to co-operate with Andrews in relief measures. Davis authorized use Constantinople supplies without limit. Two medical units already on the way to Montenegro available for hospitalization work there.

Survey entire situation convinces us Russian refugee problem may be serious, continuing liability for several months. Therefore urge importance laying facts before Russian Embassy, with suggestion that all resources at its command made available to permit effective relief work to go on. Cash advances thus far made are immensely helpful but grossly inadequate. Prompt action essential.

Arrived Paris yesterday morning.

OLDS

861.48/1323 : Telegram

The Ambassador in Great Britain (Davis) to the Acting Secretary of State

LONDON, *December 9, 1920—4 p.m.*
[Received 7:37 p.m.]

1687. Your 1182, November 26, 6 p.m.[40] Replying to my representations, Foreign Office states in note received today that British Government is unable to enter into any further commitments beyond the very large liabilities they have already assumed in connection with refugees who left South Russia on collapse of Denikin's army early this year. Note adds that French Government have assumed responsibility of refugees who left the Crimea owing to Wrangel's defeat and are now taking all possible measures to relieve these unfortunate people. Reports have been received by the Foreign Office from the British High Commissioner at Constantinople that despite efforts being made by French authorities there, local resources are taxed to the utmost, refugees condition is deplorable, and great difficulty in dealing with enormous numbers already there is being experienced.

Foreign Office note concludes by suggesting that much could be done to relieve very critical situation arising from sudden exodus of over 120,000 people from the Crimea if the United States Government could render assistance to French naval authorities at Constantinople and give such material support as is possible.

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[40] See footnote 37, p. 632.

I am informally advised that the British are assuming responsibility of transfer of a certain portion of these refugees from Constantinople to Serbia, which country will endeavor to absorb as many as possible. An additional number were to be accommodated at Lemnos, while they were endeavoring to install many in Tripoli and Algeria.

DAVIS

861.48/1337

The French Ambassador (Jusserand) to the Acting Secretary of State

[Translation]

WASHINGTON, *December 27, 1920.*

MR. SECRETARY OF STATE: The French Government alone has up to the present assured the cost of the support of the 135,000 Russians which were evacuated from the Crimea upon the occupation of that peninsula by the Bolsheviks. It has been a very heavy charge, and under present conditions the French Treasury cannot meet it beyond the first of next January.

Therefore the French Government must on that date leave the task of providing for the needs of the refugees to the General Association for Russian Relief, which was organized for that purpose in Paris.

This association is even now endeavoring to collect the considerable sums which it will require, and to that end it has applied to the Government of the United States and to the Belgian Government, as well as to the charitable organizations of the world.

It is also seeking to realize upon the assets of the former Wrangel government, as also upon the credits placed at its disposal by various Russian societies.

Among these appears a claim of the Russian Volunteer Fleet against the American Government, which is estimated at one million four hundred thousand dollars, and which the Administrative Council of this society has pledged itself to turn over to the above-mentioned Association for the support of the refugees.

Your Excellency will perceive the interest which the Government of the Republic would take in seeing this credit liquidated as soon as possible and the sum due the Russian Volunteer Fleet put speedily at the disposal of the Russian Association. It would, indeed, give the Association an effective means for supplementing the financial assistance from France, which cannot in any case be prolonged. It would enable it besides to come to the aid of sufferers who may for a long time to come find themselves in extreme destitution.

The President of the Council and Minister for Foreign Affairs has instructed me, and I have the honor to request Your Excellency to be so good as to use your good offices with the competent Federal authorities, so that the financial settlement of this matter may be expedited in every possible way, and that the total amount of the credit due the Russian Volunteer Fleet may be put speedily at the disposal of the General Association for Russian Relief to be applied to the support of the refugees from Crimea.

Accept [etc.] JUSSERAND

861.00/7895 : Telegram

The High Commissioner at Constantinople (Bristol) to the Acting Secretary of State

CONSTANTINOPLE, *December 28, 1920—11 a.m.*
[Received December 29—11 : 55 a.m.]

654. From Imbrie : [40]

"1. 27th. General Wrangel informs me that the Russian Fleet taken over by the French and consisting of the Black Sea Fleet and a number of commercial vessels is now to be sold by the French over his, Wrangel's, protest the money accruing to be used by the French as partial reimbursement for the expenses advanced for the Crimean campaign; that this action of the French is contrary to the original undertaking between Wrangel and the French; that the French state that they are unable to give the financial support necessary to the preservation of Wrangel's army as a unit and that unless other support is forthcoming that army, the only army in the field capable of opposing the Bolsheviks, will be demobilized; that the French have already deprived the army of its arms; that it is his, Wrangel's, opinion that in the event of the coming into power in Russia of a White government such government would not consider itself bound by any treaties entered into by the Bolsheviks nor would it be bound by any commercial concessions made during the Bolsheviks regime; that it is his belief that any financial advantage accruing to those trading with the Bolsheviks will be shortlived since the Bolsheviks have but a small gold reserve. There are few supplies or materials in the ports for export and the transport within the country is incapable of moving material in any commercial quantities: that the temporary advantage of trade with the Soviet Government would be more than discounted by the odium attendant upon receiving stolen goods.

Wrangel states his belief that no relief work should be conducted by outside organizations within Soviet Russia as an attempt at such

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[40] Robert W. Imbrie, vice consul at Constantinople.

relief will merely result in the strengthening of the power of the Soviet since relief supplies would necessarily be distributed through Soviet officials, would be received only by Communists, and would never reach the people for whom they were intended or by whom they were most needed. It is Wrangel's opinion that the Bolsheviks will shortly annex Georgia.

Wrangel desires his thanks extended to the American people for their aid to the refugees and states that America's help has been greater than that of any other nation. He appeals to our Government or to American relief organizations to undertake the evacuation of his forces and the refugees here amounting to about 140,000 in all to Vladivostok, the army to be sent not as a fighting force since this would involve political questions but as immigrants. What answer if any am I authorized to make to this appeal?

I gather not from any specific statement made by Wrangel but from the general tenor of the interview that his relations with the French are no longer cordial."

BRISTOL

BALTIC PROVINCES

Continued Refusal by the United States to Recognize the Governments in the Baltic Provinces—Refusal by the United States to Become Involved in the Relations between the Soviet Government and the Governments in the Baltic Provinces—Requests from the Commissioner at Riga for American Naval Protection

860m.01B11/—

The Lithuanian Executive Committee to the Secretary of State

WASHINGTON, *December 30, 1919.*

SIR: We have the honor to respectfully communicate that the provisional government of the Republic of Lithuania has constituted the Lithuanian Executive Committee its diplomatic agents in the United States. This Committee therefore undertakes to perform, on behalf of the Lithuanian government, all acts which are usually performed by the embassies or legations of foreign governments, in so far as that can be consistently done, pending the recognition of Lithuania by the United States.

In particular, the Committee is exercising supervision over travel to and from Lithuania, visaing travel documents for Lithuanians which are issued with the approval of the State Department, and also visaing all passports of whatever country, for entry into Lithuania. In this matter and in others, the cooperation of Lithuanian political organizations, having branches numbering several hundred in various parts of the United States, is made use of. We are thus able to scrutinize carefully the credentials of Lithuanians who apply

here for travel documents or visas of passports. Passports not visaed by this office will not be good for entry into Lithuania in accordance with the ruling of the Lithuanian government.

The Committee is also empowered to certify legal documents for use in Lithuania, upon compliance with the usual procedure of legations or embassies in the way of previous certification by the State Department.

It has seemed proper to make the above notification to the representatives of foreign governments in Washington and to the State Department and to request and offer mutual aid and information, having due respect to the requirements of the United States government.

Respectfully,

LITHUANIAN EXECUTIVE COMMITTEE
By M. J. VINIKAS, *Chairman*

861.00/6116

Memorandum by the Third Assistant Secretary of State (Long)

[WASHINGTON,] *January 2, 1920.*

Memorandum of conversation with the Minister of Finland.

The Finnish Minister advised me that there will be held in Helsingfors a conference between the representatives of the governments of Finland, Poland, Lithuania, Latvia, and Esthonia to consider "safeguarding their mutual interests". He said that this contemplated probably some coordinate action amongst those governments against Bolshevism, as that was the only "mutual interest" which those governments had at this time. He said that the representatives of the Allied Powers in Finland had agreed to support the Finnish Government in case instructions from their governments permitted them to do so. He asked that the American representative be instructed to support the Finnish Government. Responding to my question he said that he did not ask that the American representative participate in the conference, but that he support the position which the Government of Finland would take in the conference.

I told him that it was contrary to our policy to give blanket instructions to our representatives abroad to cooperate with the representatives of other governments, but that I would consider what might be done, and that if we found it possible that we would send instructions, and that he might feel that the Government of the United States viewed sympathetically any action which the Government of Finland might take which would react to strengthening that Government, and which might also act as a barrier against the spread of Bolshevism.

BRECKINRIDGE LONG

861.00/6058 : Telegram

The Consul at Reval (Hurley) to the Secretary of State

REVAL, *January 3, 1920—11 p.m.*
[Received January 4—9:17 p.m.]

15. Attended today conference between Yudenitch and Allied Missions concerning future disposition of the northwestern forces. Esthonia has given Yudenitch option to remain in the line or, as an alternative to withdraw to Esthonia and be disarmed. The first being impossible in event of peace, terms amount to demand for withdrawal and disarmament. Yudenitch demands immediate decision on the part of Allies; first, whether the Allied Powers consider northwest front essential, second, if they do not so consider it, will these Governments render material advantage to transship northwestern army to a southern front.

Yudenitch refuses to allow Army of Northwest to be disarmed and evidently considers England, France, and United States have a moral responsibility as to its future disposition.

Am sending this information to Gade.

HURLEY

861.00/6058 : Telegram

The Secretary of State to the Commissioner at Riga (Gade)

WASHINGTON, *January 5, 1920—6 p.m.*

For your information in connection with Consul Hurley's No. 15, January 3, 11 p.m. United States will not participate in any measures respecting the disposition of Yudenitch's army.

LANSING

860m.07B11/–

The Secretary of State to the Lithuanian Executive Committee

WASHINGTON, *January 7, 1920.*

GENTLEMEN: The receipt is acknowledged of your letter of December 30, 1919, by which you advise the Department that the so-called Provisional Government of the Republic of Lithuania has constituted your Committee its diplomatic agent in the United States, and that your Committee is prepared to perform all acts which are usually performed by the Embassies or Legations of foreign governments, in so far as this can be done consistently with the fact that the so-called Provisional Government of Lithuania has not been recognized by the United States.

You are informed that, the Government of the United States not having recognized the so-called Provisional Government of Lithu-

ania, it is not possible to attribute to your Committee any diplomatic character.

The Government of the United States appreciates the difficult situation in which many Lithuanians find themselves as a result of the disruption of the Russian Government and is disposed to go to the utmost practicable limits to relieve them from its inconveniences. In the matter of passports, it has been provided that persons of Lithuanian origin may depart from the United States on affidavits of identity and nationality, approved by the State Department, in lieu of passports, when accompanied by the usual permits of departure.

The Department is glad to deal informally with individuals and groups of individuals which are acting disinterestedly on behalf of the Lithuanian people or any portion of them. Your Committee, in common with other representative Lithuanian bodies, may therefore count upon the consideration of the Department in all matters which it may have occasion to take up with it, within the limitations set forth above.

I am [etc.] ROBERT LANSING

861.00/6132 : Telegram

The Minister in Sweden (Morris) to the Secretary of State

STOCKHOLM, *January 14, 1920—5 p.m.*

[Received 8:20 p.m.]

20. The Legation has been confidentially informed by Colonel Samsonov, Russian liaison officer stationed here, that the position of the northwestern army has become so untenable and so many soldiers are deserting to the Bolsheviks that Yudenitch has asked Denikin and Miller of the Archangel front for means of transporting the remnants of the army to join their forces. As the army still numbers about 10,000 men and officers it is doubtful whether this can be furnished. It is expected that many soldiers would in any case refuse to go northward.

MORRIS

861.00/6385

The Finnish Legation to the Department of State

WASHINGTON, *January 24, 1920.*

CABLEGRAM FROM THE FOREIGN OFFICE, HELSINGFORS, TO THE FINNISH LEGATION, WASHINGTON

The Conference between Finland, Poland, Esthonia, Latvia and Lithuania passed a resolution concerning the common principle for

the maintenance of their independence and made an agreement, according to which all territorial controversies between said countries and also between them and Russia should be decided on the basis of self-determination of nations. The Conference expressed the hope that the independence and governments of the Baltic States would be, in the near future, recognized *de jure*. The Conference agreed to common measures for defense against danger from the East, and also that their relations to Russia should be determined in harmony with the wishes of the entente so far as those are in accordance with the indispensable interests of the countries concerned. The Conference passed a resolution concerning the arrangement of economic interests and communications between the countries, also central and local committees should be elected for the benefit of mutual economic interests. Poland agreed to let the controversy concerning the frontier between Poland and Lithuania be prepared by a special committee. The Conference decided to investigate the possibility of neutralization of the Finnish Gulf and other parts of the Sea touching the countries. The result of said investigation should be handled by a later conference. The Conference dispersed on Friday Morning.

861.00/6222 : Telegram

The Commissioner at Riga (Gade) to the Secretary of State

RIGA, *January 25, 1920—5 p.m.*
[Received 10 p.m.]

77. I am credibly informed that British Government has notified Esthonian Government of its satisfaction at conclusion of armistice with Bolsheviks. This being known to Latvian Government will greatly influence its present negotiations in Moscow. French here indignant.

GADE

861.00/6263 : Telegram

The Commissioner at Riga (Gade) to the Secretary of State

RIGA, *January 29, 1920—5 p.m.*
[Received January 30—12:47 a.m.]

82. General Yudenitch has been arrested in Reval by General Balakovitch acting upon Esthonian orders, Esthonia unwilling former's departure until Yudenitch's indebtedness to Esthonia paid. French and British attempting to secure his release.

Lithuanian representatives Helsingfors conference claim united action made impossible owing Poland's refusal to recognize Lithuania as a state entitled to representation. Poland, Latvia and Esthonia

agreed on draft of defensive alliance against Germany which will probably however meet many obstacles before being signed.

I am requested by Latvian Foreign Minister to inquire officially of my Government if Latvia will in the least degree jeopardize American sympathy or possible future economic assistance if she now instructs Latvian delegates in Moscow to attempt make armistice with the Bolsheviks. French and British requested forward a similar inquiry, Latvia wishing undertake nothing contrary to our wishes, but is unable any longer to continue struggle and province entirely liberated. Recent arrivals from Russia state typhus everywhere and army disorders increasing.

GADE

760i.61/—: Telegram

The Commissioner at Riga (Gade) to the Secretary of State

RIGA, *February 2, 1920—5 p.m.*
[Received February 3—12:18 a.m.]

85. Peace has been signed between Esthonia and Soviet Russia.

GADE

760i.61/—: Telegram

The Commissioner at Riga (Gade) to the Secretary of State

RIGA, *February 3, 1920—4 p.m.*
[Received February 4—5 a.m.]

87. Principal points in Esthonia-Russian peace treaty are the following:

1, Recognition of Esthonian independence;
2, Various paragraphs all guaranteeing against any future attacks through Esthonia of White Russian forces;
3, Return of all prisoners civil and military;
4, Settlement of boundaries;
5, All previous Russian public property in Esthonia to belong to the latter without compensation;
6, Russia to return all properties removed from Esthonia and still traceable;
7, Resumption of diplomatic and consular relations to be determined by a later agreement;
8, Commercial treaty to be negotiated immediately on the following conditions:

(*a*) Conditions of most favored nation respectively for the citizens of both countries:
(*b*) Customs duties or transit taxes:
(*c*) Freight charges on transit goods not to exceed those on similar goods of local production;

9, Russia to have free harbor space in Reval and electric power from Narva Falls;
10, Esthonia receives concessions for the construction Esthonia–Moscow railroad;
11, Esthonia receives Russia forest concession for 1,000,000 dessiatines.

GADE

861.00/6263 : Telegram

The Secretary of State to the Commissioner at Riga (Gade)

WASHINGTON, *February 4, 1920—6 p.m.*

Your 81 [*82*], January 29, 5 p.m. You may informally bring to the attention of the Latvian Minister for Foreign Affairs that the United States cannot give assurance of such economic and military assistance as would be implied by its advising the Latvian authorities to refuse to conclude an armistice with Bolshevist Russia.

LANSING

861.00/6315 : Telegram

The Commissioner at Riga (Gade) to the Secretary of State

RIGA, *February 9, 1920—noon.*
[Received 3:21 p.m.]

89. Information received from unofficial sources that the Latvian Government signed armistice with the Bolsheviks January 29th in Moscow.

GADE

861.00/6405 : Telegram

The Ambassador in Great Britain (Davis) to the Acting Secretary of State

LONDON, *February 20, 1920—5 p.m.*
[Received February 20—3:06 p.m.]

291. With regard to the signing of the armistice between Latvia and the Bolsheviks reported to have been signed yesterday I learn information at the Foreign Office that Finland and Lithuania are expected to do likewise in the immediate future.

DAVIS

861.01/195 : Telegram

The Ambassador in Great Britain (Davis) to the Acting Secretary of State

LONDON, *February 24, 1920—5 p.m.*
[Received 8:52 p.m.]

306. Foreign Office sends me the following statement of the policy with reference to Russia as the result of discussion extending over nearly two days; it doubtless will be communicated to the press.

"The Allied Governments have agreed on the following conclusions.

If the communities which border on the frontiers of Soviet Russia and whose independence or *de facto* autonomy they have recognized were to approach them and to ask for advice as to what attitude they should take with regard to Soviet Russia the Allied Governments would reply that they cannot accept the responsibility of advising them to continue a war which may be injurious to their own interests. Still less would they advise them to adopt a policy of aggression towards Russia. If however Soviet Russia attacks inside their legitimate frontiers the Allies will give them every possible support.

The Allies cannot enter into diplomatic relations with the Soviet Government in view of their past experiences until they have arrived at the conviction that Bolshevist horrors have come to an end and that the Government of Moscow is ready to conform its methods and diplomatic conduct to those of all civilized governments. The British and Swiss Governments were both compelled to expel representatives of the Soviet Government from their respective countries because these had abused their privileges. Commerce between Russia and the rest of Europe which is so essential for the improvement of economic conditions not only in Russia but in the rest of the world will be encouraged to the utmost degree possible without relaxation of the attitude described above. Furthermore the Allies agree in the belief that it is highly desirable to obtain impartial and authoritative information regarding the conditions now prevailing in Russia. They have therefore noted with satisfaction the proposal before the international labor bureau which is a branch of the League of Nations to send a commission of investigation to Russia to examine the facts. They think however that this inquiry would be invested with even greater authority and with superior chances of success if it were made upon the initiative and conducted under the supervision of the Council of the League of Nations itself and they invite that body to take action in this direction."

DAVIS

861.00/6595 : Telegram

The Commissioner at Riga (Gade) to the Acting Secretary of State

RIGA, *March 18, 1920—6 p.m.*
[Received 10:45 p.m.]

137. Foreign Minister begs my own and colleagues support in arranging proposed peace negotiations between Bolsheviks and Latvia in one of Allied capitals and in agreement with League of Nations.

GADE

861.00/6604 : Telegram

The Commissioner at Riga (Gade) to the Acting Secretary of State

RIGA, *March 20, 1920—10 a.m.*
[Received 4:22 p.m.]

140. Latvian delegates returned from Warsaw conference. Foreign Minister states each nation will conduct its peace negotiations with Bolsheviks separately. Poland begins hers in about two weeks at Orsha; Latvia probably sooner in Soviet Russia. No joint conferences in any event Warsaw where principal difficulty arose by Poland insisting upon Latvia and Finland acknowledge their disinterestedness in Poland's own frontier regulation. Latvia refused, not wishing further Lithuanian difficulties. Poland stated she would in her peace negotiations insist upon Bolshevik western frontier being those of 1772 not mentioning whether this would create separate White Russian Republic. Referring to my 137, March 18, 6 p.m., this suggestion evidently inspired by my British colleague who desired conference held London.

GADE

861.00/6604 : Telegram

The Secretary of State to the Commissioner at Riga (Gade)

WASHINGTON, *March 24, 1920—4 p.m.*

Your 137, March 18, 6 p.m. Department prefers that you should not participate in any conference with your colleagues looking to an arrangement for peace negotiations between Bolsheviki and Latvia.

COLBY

861.00/6614 : Telegram

The Secretary of State to the Commissioner at Riga (Gade)

WASHINGTON, *March 31, 1920—5 p.m.*

Reported that Esthonia registering former northwestern army officers whose extradition to Soviet Russia will be demanded by Bolsheviks. Investigate and report by cable. In this connection Department is instructing Legation Copenhagen to forward you copy of its despatch 1491 of March 4th.[41]

Have Esthonia and Soviet Russia entered into formal diplomatic relations?

COLBY

861.00/6614 : Telegram

The Secretary of State to the Commissioner at Riga (Gade)

WASHINGTON, *April 2, 1920—4 p.m.*

Supplementing Department's March 31, 5 p.m.

If your investigation confirms report that Esthonia is planning to deliver officers of Northwestern Russian Army to the Bolsheviki, Department feels that food supplies should be withheld until guarantee is received from Esthonia that it will not turn these men over to Soviet Government.

COLBY

861.00/6677 : Telegram

The Commissioner at Riga (Gade) to the Secretary of State

RIGA, *April 3, 1920—noon.*

[Received 11:18 p.m.]

159. Your Mar. 31, 5 p.m. I am informed officially no demand has been made as yet for extradition of former northwest army officers and if same is made will be refused by Esthonian Government. Soviet Government and Esthonia have not as yet entered into diplomatic relations, business is transacted through commissions of the two in Reval and Moscow.

GADE

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[41] Not printed.

760m.61/1 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *May 19, 1920—1 p.m.*
[Received 4:50 p.m.]

6. Rupture of Lithuanian-Bolshevik peace negotiations are over frontier question. Bolsheviks had previously proposed an immediate offensive against Poland in which Bolsheviks to use 18 divisions on the Luksi-Molodeczno front and Lithuania to attack Vilna. Proposal rejected by Lithuania.

YOUNG

760c.60m/2 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *June 1, 1920—4 p.m.*
[Received 6:40 p.m.]

20. Bolsheviks endeavoring to obtain support of Lithuanians in attack of Poles. British military representative at Kovno approached by General de Waart of Polish forces with proposal that Lithuania be asked for definite assurance that it will not attack Poland if Poles withdraw one division from line of demarcation as evidence of good faith. Lithuania has not yet made final decision but has thus far refused to give assurances requested.

YOUNG

760c.60m/3 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *June 4, 1920—5 p.m.*
[Received 9:12 p.m.]

25. Lithuania maintaining non committal attitude Polish and Russian efforts to enlist her support and has requested advice of England which has not yet replied but answer expected shortly. Chief of French military mission Kovno leaving to-day for Warsaw to ascertain maximum Polish concession to Lithuania in return for latter's friendly neutrality.

YOUNG

760m.61/1 : Telegram

The Secretary of State to the Commissioner at Riga (Young)

WASHINGTON, *June 18, 1920—7 p.m.*

Your 6, May 19, 1 p.m. No. 20, June 1, 4 p.m. and 25, June 4, 5 p.m. When suitable opportunity offers, and as expression your per-

sonal opinion, you may say informally to Lithuanians that this Government will be pleased to see an amicable arrangement reached in dispute between Lithuanians and Poland. Every effort is desirable to limit number and scope of military activities in regions already exhausted by war, and the Lithuanians by any cooperation with the Bolsheviki against Poland, would create a most unfavorable impression. This you can emphasize. The caution and informality of discussion which we recommend is suggested by the fact that this Government has not recognized Lithuania.

For its confidential information, repeat above to Warsaw, which is being instructed to repeat to you portion of its 292, May 30, 1 p.m. to Department.[42]

COLBY

760m.61/2 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *June 26, 1920—6 p.m.*
[Received June 27—3:15 a.m.]

46. Department's June 18, 7 p.m. Lithuania has informed British representatives that she will remain neutral.

YOUNG

760m.61/6 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *July 13, 1920—3 p.m.*
[Received July 13—1:12 p.m.]

70. Lithuanian-Bolshevik peace treaty signed Moscow yesterday. Will telegraph summary and mail copy.[43]

YOUNG

760m.61/9 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *July 17, 1920—noon.*
[Received 6:55 p.m.]

72. Bolshevik Lithuanian peace treaty. Recognition of independence Lithuania, amnesty to political offenders, prohibition against presence foreign troops and hostile civil organizations, delimitation

[42] Not printed.
[43] Latter not printed.

frontier giving Vilna and Grodno districts to Lithuania, transit for Russia through Lithuania without payment special duties, Lithuania receives 3 million gold roubles and is relieved from any responsibility for former Russian debts. Other clauses cover citizenship, reevacuation machinery, etcetera.

Forwarding maps showing new boundary.[43]

YOUNG

860n.01/7 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *July 23, 1920—11 p.m.*
[Received July 24—7:43 p.m.]

81. In submitting certain suggestions regarding our policy toward Baltic States, I wish to emphasize the fact that the Soviet Government [due] largely to the Polish offensive is now [far] stronger than for months past and that there is no sign either external or internal of force or movement which might eventually bring about its overthrow. The real menace of Bolshevism and communism is but little understood and the border states, in their efforts to check its spread, should receive assistance and encouragement.

I concur fully in our All Russian policy and would merely suggest a different route in arriving at same result. The leading men here are under no illusions as to the future relation of these states to Russia and realize full well that with an orderly, well established government in Russia the Baltic Provinces will in time again become a part of what will probably be a federated Russia. With a view to assisting in bringing into being the very thing for which our Russian policy stands, I strongly recommend the immediate *de facto* recognition of the three states, to be followed in the near future, if conditions continue as at present, with a *de jure* recognition of Latvia and Lithuania, coupled with a reservation or statement to the effect that this recognition shall in no way be interpreted as a deviation from our policy of leaving to future adjustment the determination of the relations which shall exist between these states and a new Russia. Esthonia must wait until she clears herself from the taint of Bolshevism.

The foregoing are briefly my views but I shall loyally and faithfully and to the best of my ability carry out any policy determined upon by the Department.

YOUNG

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[43] Not printed.

860n.00/6 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *August 6, 1920—noon.*
[Received 5:47 p.m.]

95. Serious situation arising in Lithuania from continued presence Bolshevik troops and very active propaganda now carried on in all parts of the country.

All foreign representatives here agree that in general the situation throughout Baltic Provinces is now much less favorable than short time ago. At this moment the question is apparently largely as to whether Bolsheviks after finishing with Poland will overthrow Baltic Governments by armed force and propaganda or utilize Baltic states as intermediaries for trade purposes.

YOUNG

860m.01/60

Mr. Jonas Vileišis to the Secretary of State

WASHINGTON, *August 9, 1920.*

SIR: Since I last had the honor to address you, certain events of serious significance have occurred in the life of the Lithuanian Republic, which seem to imply the necessity of a change of some kind in the relations between Lithuania and America and which I therefore respectfully beg to present to your attention.

The Constituent Assembly of Lithuania has adopted a Constitution and has instituted thereunder government with full legal and popular sanctions for the whole of Lithuania.

Poland, on the eve of defeat by Soviet Russia, has at last realized the importance of friendly relations with Lithuania and has formally recognized Lithuanian independence. Lithuania wishes only to live in peace and harmony with her neighbors. If her relations with Poland have not been satisfactory, the fault has been with the Poles and with the States which supported them in their occupation of Lithuanian territory and in their refusal to admit that Lithuania had the same right as Poland to be free. Vilna, the capital of Lithuania, which was long occupied by Poland, has now been handed over to Lithuania and there are prospects of marked improvement in the relations between the two Governments.

With the full agreement of Great Britain and with the knowledge and tacit consent of the other Allied Powers, a treaty of peace has been signed between Lithuania and the Soviet Government of Russia, by which Lithuania's ethnographic boundaries are established on

the Russian frontier and by which she is left free to negotiate regarding her boundaries with Poland, Latvia and Germany.

The victorious Bolshevist forces in Lithuania at first failed to respect the conditions of the treaty. They persisted in their occupation of Vilna and other important cities, where they began to organize local soviet governments, set up revolutionary tribunals, suppressed Lithuanian newspapers, arrested and imprisoned prominent Lithuanians, levied forced requisitions and robbed and ill-treated the Lithuanian population.

Against these violations of the treaty and of her neutrality, the Government of Lithuania vigorously protested. At length, as a result of Bolshevik attempts to seize Lithuanian locomotives, cars and equipment, actual fighting, attended by serious casualties, broke out between Bolshevik and Lithuanian troops, and Lithuania seemed for a short time to be threatened with a new war, in spite of the fact that peace had just been signed.

On July 20 an ultimatum was addressed by the Lithuanian Government to the Soviet Government, demanding that the unlawful aggressions of the Bolshevist forces should cease and that Vilna should be turned over to the Lithuanian civil authorities. The reply of the Soviet Government stated that it desired to avoid friction with the Lithuanian Government and proposed a joint commission to discuss the execution of the treaty. This proposal was accepted, the Commission has met at Riga, and I have just been informed by my Government that as a result of the conference, Russia has agreed to completely evacuate Lithuanian territory. The same despatch states that on August 6th the treaty of peace was ratified by the Lithuanian Constituent Assembly.

The attitude of the Government of the United States in regard to this treaty is of course of great importance to Lithuania. As the Honorable Secretary of State is aware, I am without any official information from the Department of State, not only on this point, but as to the views of the Department generally regarding the independence of Lithuania, and I am therefore obliged to depend on the reports of the press. From these it is understood that the United States Government does not recognize, except in the cases of Poland and Finland, the possibility of the establishment of new governments in any part of the territories formerly controlled by the Imperial Russian Government, before the War, and that where other States, having a *de facto* existence, are in control of former Russian territories, they are regarded by the American Government as constructive trustees for the Russian people, to whom they will be obliged to return these territories, when the Russian people are ready to receive them again. It would seem to follow from this

view (if it is correctly reported) that the American Government will not consider the treaty between the Soviet Government and Lithuania (or that previously made by the Soviet Government with Esthonia, or treaties which will doubtless soon be made with Poland and Finland if they alienate former Russian territory) as valid and binding, but expects them to be broken at some time in the future, when the Russian people are ready to receive back the territories in question.

May I be permitted respectfully to express the hope that the position of the Department of State has not been correctly indicated in the press. If it be true that Bolshevism cannot be crushed by military force, as has lately been shown by the disaster to Poland, then is the alternative not that the Powers opposed to Bolshevism should acknowledge the right of the States bordering upon Russia to make treaties of peace with the Soviet Government and should not the validity of these treaties be admitted by other States? Lithuania desires to be at peace with all her neighbors, particularly with great and powerful Russia, whatever be its form of Government. She must make peace with the Soviet Government, or by continuing war, add to the strength of Bolshevism, according to the view which now seems to be taken, that making war on Bolshevism only strengthens it. But if any treaty of peace which Lithuania makes is regarded by other Powers as only a scrap of paper, and if all Lithuania must be given back to the Russian people, the outlook seems to be only hopeless confusion.

There are in America approximately a million people of Lithuanian origin or connections. Half of them are American citizens. Fifty thousand of their young men served in the American army during the war. They accepted in good faith the teachings of the American Government that they were sent to fight to establish the principle of the self-determination of peoples, to protect the sanctity of treaties and to defend the rights of small nations against great ones. They are, and it is natural and right that they should be, deeply interested in the fate of Lithuania. They have waited and expected anxiously some indication from the American Government of at least moral support to the cause of Lithuanian independence. The Lithuanian Government itself, knowing the traditional American policy of sympathy toward new republics, has hoped that the American Government might see its way to make some encouraging public statement about Lithuania. But the only public official statement of the American Government's attitude thus far has been its refusal to recognize Lithuania, expressed in letters to the Lithuanian National Council, which were given much publicity last winter and had a very disheartening effect on the Lithuanian people and

on their friends in America. Is it not possible for the Department of State to give out even a brief statement of a more favorable kind?

In concluding, and upon the considerations advanced in the earlier part of this memorandum, I again have the honor to request that the Government of the United States extend official recognition to the Government of Lithuania.

With assurances [etc.] JONAS VILEIŠIS
Representative of Lithuania in America

860n.00/7 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *August 9, 1920—3 p.m.*
[Received August 9—2:52 p.m.]

99. In view of general situation Baltic Provinces I strongly urge American naval vessel, preferably destroyer, be despatched Baltic waters. This recommendation concurred in by military attache [is made] only after most careful study and consideration of entire situation.

YOUNG

760i.61/17 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *August 9, 1920—7 p.m.*
[Received August 10—3:20 a.m.]

100. Esthonia Minister of Foreign Affairs expects to receive within next few days demand from Moscow that Esthonia immediately join federated Soviet Russia. Esthonia will probably refuse and in that event armed conflict will doubtless follow. Many arrests Bolshevik sympathizers Reval yesterday.

British are preparing plans for evacuation if necessary of their subjects from Baltic Provinces.

YOUNG

760i.61/17 : Telegram

The Secretary of State to the Commissioner at Riga (Young)

WASHINGTON, *August 11, 1920—6 p.m.*

32. Your 100, August 9, 7 p.m.

Department assumes that you will make adequate arrangements for the evacuation of American citizens from the threatened areas, if necessary, and for eventual protection to American interests

through neutral agencies. Should funds become necessary inform Department well in advance. If evacuation becomes necessary Department will strive to arrange transportation in case local facilities inadequate. Navy has been requested to furnish vessel mentioned in your No. 99, August 9, 3 p.m. Keep Department fully and frequently informed.

COLBY

760p.61/5 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *August 11, 1920—7 p.m.*
[Received 8:27 p.m.]

104. Latvian-Bolshevik peace treaty signed to-day. Will telegraph summary and mail copy.[44]

YOUNG

760p.61/6 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *August 12, 1920—10 p.m.*
[Received August 13—9:40 a.m.]

107. Latvian-Bolshevik peace treaty follows closely similar treaties with Esthonia and Lithuania. Russia advances 4,000,000 gold roubles, agrees to return postal, telegraph, telephone, marine and railway material, releases Latvia from responsibility Russian debts and grants timber concessions. Both parties agree to conclude commercial, transit and consular conventions. Mailing today translation of the complete treaty.[44]

Both countries planning to maintain for the present commercial representatives only.

YOUNG

860n.00/11 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *August 12, 1920—11 p.m.*
[Received August 13—9:27 a.m.]

108. Situation slightly better but still very unsatisfactory. British representative here exceedingly pessimistic but I think a little unduly alarmed. The most critical situation is in Esthonia and

[44] Not printed.

I have sent Riis there unofficially to assist me in keeping in touch with developments. In Lithuania Bolsheviks thus far carrying out agreement regarding evacuation but the authorities fear trouble when Red army returns from Polish front.

My preliminary estimate shows 250 American citizens in Baltic Provinces. Will keep you fully informed. Greatly appreciate your prompt action my request for destroyer as on arrival these waters should call at once at Libau, Riga and Reval.

YOUNG

860n.00/12 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *August 14, 1920—4 p.m.*
[Received 8:56 p.m.]

109. Noticeable improvement in general situation and believe no immediate danger for our citizens or property. Have prepared list names and addresses all Americans and perfected plans so far as is possible for their evacuation if necessary.

YOUNG

860m.01/60

The Acting Secretary of State to Mr. Jonas Vileišis

WASHINGTON, *August 23, 1920.*

SIR: The Department has received your letter of August 9, 1920, enclosing a telegram in regard to an agreement reached between representatives of Lithuania and the Russian Soviets; stating that certain events of serious significance have occurred which to you seem to imply the necessity of a change of some kind in the relations between America and the people of Lithuania; submitting in some detail your interpretation of recent events and in conclusion again requesting "that the Government of the United States extend recognition to the Government of Lithuania."

In reply your attention is called to the letters from this Department to the Lithuanian National Council of October 15, 1919,[46] to the Lithuanian Executive Committee of January 7, 1920,[47] and to the note from this Department to the Italian Ambassador,[48] which was published in the press on August 11, 1920, in which the policy of the American Government towards the larger problem, of which the

[46] Not printed.
[47] *Ante*, p. 642.
[48] *Ante*, p. 463.

situation of your people is an excellent example, was clearly stated. The Department sees no reason to modify that statement.

However, some comments have appeared in the public press which interpret this statement of friendly purpose towards Russia as a rebuff to the non-Russian peoples along the border, who aspire to a fuller and freer national life.

This Government has held constantly to the belief that Russia—the Russia of 1917—must herself be a party to any readjustments of her frontiers. The American people sympathize with the desire of the non-Russian people along the border for the largest possible measure of self-government, but it believes that any attempt to reach a permanent settlement of the complicated problems involved, without the consultation and cordial consent of a government generally recognized as representing the great Russian people, will be futile. Unless all parties in interest can reach an amicable agreement among themselves there is no hope for permanent tranquility.

I am [etc.] NORMAN H. DAVIS

702.60i11/orig. : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *August 27, 1920—9 p.m.*
[Received August 28—4:32 a.m.]

126. Note from Esthonian authorities adverts to appointment of new American consul, Reval, and expresses desire to appoint Esthonian consul to the United States who will "be charged with representing our Government in political affairs" and adds that Esthonian interests in the United States are at present unrepresented.

Feeling in the Baltic Provinces, especially Esthonia, running high over our note to Italy [49] and universal opinion impartial observers is that three starving Governments have been greatly weakened and Bolsheviki influence these provinces strengthened by the note. At any rate present situation here is one requiring most careful and tactful handling. Leaving for Reval tomorrow to confer with Admiral Huse.

YOUNG

760c.60m/11 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *September 3, 1920—2 p.m.*
[Received September 5—3:12 a.m.]

134. British Commissioner here endeavoring to arrange for Polish-Lithuanian conference with a view to examination and settlement

[49] *Ante*, p. 463.

all disputes and controversies and for agreement to refer to League of Nations for determination all disputes not settled at the proposed conference.

Learn through confidential sources my name under consideration as chairman proposed conference. What would be Department's attitude? Personally I do not believe it would be wise in view of our non-recognition Lithuania.

YOUNG

760i.61/18 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *September 7, 1920—2 p.m.*
[Received 7:48 p.m.]

141. Esthonian authorities request written statement from me regarding purpose visit of United States naval vessels to the Baltic and that their presence is not in the nature of a demonstration against Soviet Government. This request probably on account of article 7, section 4 b, Esthonian-Bolshevik peace treaty.[49] I had previously informed Esthonian authorities that the visit of our vessels was without any international significance.

YOUNG

760c.60m/11 : Telegram

The Secretary of State to the Commissioner at Riga (Young)

WASHINGTON, *September 10, 1920—6 p.m.*

49. Your 132 [*134*], September 3, 2 p.m. Department agrees it would be unwise for you to act as member of Polish Lithuania frontier conference.

COLBY

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[49] "Except as regards those occasions which are provided for by international rights, to forbid the entry of and navigation through their territorial waters by any naval ships, torpedo boats, gunboats, etc., etc., which may belong to those organizations and groups who have as their aim the prosecution of an armed struggle with the other contracting party or which may belong to those Powers in a state of war with the other contracting party and who are aiming at an attack upon the other contracting party, provided that such aim shall be known to that one of the contracting parties to whom those territorial waters and ports may belong." (File no. 760i.61/11.)

702.60i 11/orig. : Telegram

The Secretary of State to the Commissioner at Riga (Young)

WASHINGTON, *September 11, 1920—1 p.m.*

50. Your 126, August 27, 9 p.m.

You are instructed, on first suitable occasion, to assure the Esthonian *de facto* authorities that this Government in stationing a consul at Reval was acting on the assumption that such a move would be agreeable and helpful to the Esthonian people in their effort to reestablish their commerce and industry. You will tactfully convey the idea that if this Consular officer is not welcome, he can very easily be withdrawn. This Government cannot, in any event, grant an exequatur to a Consul from a non-recognized Government. You will explain, in a friendly spirit, that embarrassment will be the only result of an attempt to force this particular issue at the present time.

COLBY

760i.61/18 : Telegram

The Secretary of State to the Commissioner at Riga (Young)

WASHINGTON, *September 11, 1920—6 p.m.*

51. Your 141, September 7, 2 p.m.

You may informally communicate in writing to Esthonian authorities that the visit of American vessels is without any international significance and that their presence in the Baltic does not in any sense constitute a hostile demonstration against any regime or government.

Have you any reason to believe that inquiries as to vessels and as to appointment of American Consul Reval (see your 126, August 27, 9 p.m.) were result of Bolshevik influence?

COLBY

760i.61/19 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *September 13, 1920—4 p.m.*

[Received September 14—12:30 a.m.]

151. Your September 11th, 6 p.m. Instruction complied with. Though without any evidence or proof, it is my opinion that inquiry regarding our naval vessels emanates from Bolsheviks. Inquiry regarding consul apparently purely Esthonian.

YOUNG

702.60i11/1 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *September 13, 1920—4 p.m.*
[Received September 14—1:04 a.m.]

152. Your September 11th, 1 p.m., will be promptly complied with. Consul Albrecht now here leaving for Reval within a few days.

Would our Government object to the sending of an Esthonian representative to the United States to act unofficially as Esthonian agent, same status as Lettish representative, Ozols, now at New York whom Latvia regards as consul, but who is not of course recognized by us as such. Please reply by telegraph immediately.

YOUNG

702.60i 11/1 : Telegram

The Secretary of State to the Commissioner at Riga (Young)

WASHINGTON, *September 23, 1920—6 p.m.*

57. Your 152, September 13, 4 p.m.

You may inform the Esthonian authorities that the United States Government would have no objection to their sending to this country an unofficial agent with the same status as those of Latvia and Lithuania.

COLBY

702.60i 11/3 : Telegram

The Consul at Reval (Albrecht) to the Secretary of State

REVAL, *October 6, 1920—4 p.m.*
[Received October 7—2:19 a.m.]

Esthonian Government has appointed Edward Wirgo Assistant Foreign Minister to be their unofficial representative in the United States authorized by Department's telegram to Commissioner Riga. They desire him to have title of Commissioner and ask whether he will be *persona grata* and whether he can use the title of Commissioner, issue passports, use code and be accorded diplomatic privileges such as are extended to Commissioner Young. Wirgo was one of the commission to obtain recognition of the Entente Powers and member of the Esthonian delegation to Peace Conference, diplomatic agent in Italy for nine months beginning December 1918, diplomatic representative *ad interim* in Florence 1919 and from January to May 1920 diplomatic representative in Great Britain. He is strongly nationalist in tendency and when I arrived was anxious to make much of the *non prosequitur* recognition situation. How-

ever, he is capable, personally agreeable on closer acquaintance and I think Department cannot object to him personally. He hopes to leave for the United States in a few weeks and I request early authorization to visa his passport. I hope there is no objection to visaing a passport indicating that he is going as Commissioner or unofficial agent.

ALBRECHT

702.60i 11/3 : Telegram

The Secretary of State to the Commissioner at Riga (Young)

WASHINGTON, *October 11, 1920—7 p.m.*

66. Referring to Albrecht's urgent telegram, October 6, 4 p.m., you are instructed to discuss this matter with the Esthonian authorities. If they have no competent representative at Riga you will proceed to Reval at your early convenience.

In a spirit of frank friendliness explain to them that Department feels they would be peculiarly ill-advised to press this point at this time. You may read to them a paraphrase of Department's No. 57, September 13 [*23*], 4 [*6*] p.m. The proposal which they make in regard to Mr. Virgo would establish for him a status superior to that of the unofficial agents of Latvia and Lithuania now in this country and therefore cannot be accepted by this Government and that insistence by them can only result in the withdrawal of any American representative in Esthonia.

This same question has been raised elsewhere as for instance in Germany where the American Commissioner enjoys privileges which are not accorded by this Government to any agent of Germany. When this lack of reciprocity was urged as a reason for the reception of a German agent with a similar status in this country, the German Foreign Office was informed that Mr. Dresel would be withdrawn if he was not acceptable on the present status.[50]

Mr. Albrecht's position in Reval is similar. Mr. Hurley had previously been stationed at Reval and the Department had no intimation that his presence under the existing arrangements was objected to. Mr. Albrecht was therefore appointed on the assumption that he would be welcomed by the Esthonian authorities. If this is not the case he will be promptly withdrawn as the Department is not prepared to extend recognition to the Baltic Provinces and cannot give to one of them privileges which it does not extend to the others. If the Esthonian authorities are interested in the improvement of trade relations with the United States Mr. Albrecht

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[50] See vol. II, pp. 258 ff.

is instructed to do all in his power to facilitate commercial relations. But if his presence is embarrassing to the Esthonian authorities he will be recalled.

COLBY

702.60i11/4 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *October 13, 1920—2 p.m.*
[Received 6:56 p.m.]

217. Department's October 11, 7 p.m. Esthonian authorities were very anxious that American representative be sent to Reval and I believe they are really desirous Albrecht remain but are making very silly effort to force some sort of recognition. Have previously had long and friendly talks with their representatives who seemed thoroughly to understand and appreciate situation. Regret Albrecht did not consult me before telegraphing you. The Esthonian Cabinet resigned 9th instant. Will proceed Reval so soon new Cabinet formed.

YOUNG

760c.61/415

The Commissioner at Riga (Young) to the Secretary of State

No. 229 RIGA, *October 15, 1920.*
[Received November 15.]

SIR: Adverting to my confidential despatch No. 204 of September 30, 1920,[51] I have the honor to transmit herewith copy of a note[51] with an exact copy of the enclosure thereto, received from the Latvian Foreign Office.

In acknowledging the receipt of the note, I am simply stating that a copy thereof will be transmitted to the Department of State.

I have [etc.] EVAN E. YOUNG

[Enclosure]

The Latvian Minister of Foreign Affairs (Meirovic) to the Secretary of State[52]

No. T. 11711 RIGA, *October 14, 1920.*

EXCELLENCY: The Government of Latvia, after having attentively examined the note addressed by the Foreign Minister of the

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[51] Not printed.

[52] A note substantially the same from the Esthonian Minister of Foreign Affairs, dated Oct. 26, was transmitted by the Commissioner at Riga in despatch no. 232, Nov. 3 (file no. 760c.61/426).

United States to the Italian Ambassador in Washington,[53] declares the following:

The nations fighting for their liberty, independence and rights have always looked to the Great American Republic hoping from her if not a material support, then at least a moral one. The conduct of the United States during the war did not but augment their authority and moral influence; this attitude was crowned by the 14 points of President Wilson, among which the point, where it is spoken of the rights of people for self-determination, does not occupy the last place as one of the most just and generous principles that were highly proclaimed by an eminent statesman.

The people of the Baltic States did not but put these high principles into practice. Thanks to the devotion of their best sons, the price of their sacrifices and their almost super-human efforts, they have succeeded in founding their states, defending them, maintaining order and a democratical organization against the flood of anarchy which menaced for a long time to submerge them, thus rendering at the same time a real service to the civilization and democracy of the whole world.

The Government of Latvia states with joy that the Government of the United States recognises the rights of Poland, Finland and Armenia for a political independent and free existence in the veritable limits of these countries which were once forcibly annexed to the Empire of Russia, but have now liberated themselves from the foreign yoke. The Republics of Esthonia, Latvia and Lithuania have never willingly adhered to the Empire of the Czars. On the contrary, these states have repeatedly, even lately, manifested by the voice of their constitutional assemblies elected on the most democratic principles of the world, their unshakeable will to lead a political independent existence, and their reintegration by force into the Russian Empire would be a violation of the natural rights of people.

The Baltic States have never menaced the veritable limits of Russia and have no hate for the Russian people; they do not demand but to live in peace with their great neighbor putting at his disposal their ports and their ways of communication. Nevertheless, we are deeply convinced that even the most close economical connections will not inevitably necessitate a political federation, in this case a federation between the Baltic States and Russia, which would have for its result the oppression and slavery of the Baltic States.

Therefore their reintegration by force into the Russian Empire would meet the most decisive resistance from their side, and they

[53] Note of Aug. 10, p. 463.

would defend to their last drop of blood their independence and liberty so dearly bought. Their suppression by Russia would for many years trouble the peace of Oriental Europe and would be a source of inner feebleness for the old Empire of the Czars.

The Government of Latvia is persuaded that the aspirations and efforts of this country are not sufficiently known by the Government of the United States. Nevertheless, it knows that in their policy the United States are always led by high moral principles. The confidence which we always had for the Great American Republic is not shaken, and we remain persuaded that the Government of the United States will put the situation in this part of Europe under a new examination and grant Latvia the same principles of justice as were already granted Poland, Finland and Armenia.

Z. A. Meirovic

760n.61/–: Telegram

The Commissioner at Riga (Young) to the Acting Secretary of State

Riga, *December 15, 1920—5 p.m.*
[Received 10:52 p.m.]

274. Increased uneasiness and apprehension in Esthonia and Latvia over possible or probable Bolshevik attack. Bolsheviks now recruiting Esthonian, Latvian, and Polish Communists in Russia apparently for use in these countries in connection with regular troops of the Red army. It is believed that Congress of All Russian Soviets which is being sent Moscow on December 20 will decide Bolshevik policy of peace or war.

I do not consider situation today as alarming, though it is admittedly serious. Suggest temporary discontinuance issuance passports for Baltic Provinces if it can be done without publicity, also that American naval vessel be held within easy steaming distance.

Foregoing fully concurred in by Colonel Hollyday.[53]

Young

760n.61/3: Telegram

The Commissioner at Riga (Young) to the Acting Secretary of State

Riga, *December 24, 1920—6 p.m.*
[Received December 25—5:47 p.m.]

282. Situation more serious. Am in touch with all possible sources of information and while reports are conflicting the seemingly more

[53] Col. Thomas W. Hollyday, military observer in the Baltic Provinces.

reliable information indicates attack on Latvia about January 15 possibly preceded by attack against Esthonia. Latvian Army lack ammunition and in the opinion of military observers would be defeated within exact hour.

After most careful and thorough investigation I can not do otherwise than recommend immediate despatch of suitable naval vessel to Riga. Foreign missions quietly sending families away. There is still a possibility that situation will improve but at present it is unquestionably grave. See Hollyday's 142.[54]

YOUNG

861.00/7878 : Telegram

The Commissioner at Riga (Young) to the Acting Secretary of State

RIGA, *December 27, 1920—5 p.m.*
[Received 5:21 p.m.]

284. Situation apparently becoming more grave and in view large Red Cross personnel and difficulty attending evacuation should that become necessary I request immediate despatch of nearest American naval vessel. There are controlling reasons why despatch of vessel should not be given publicity. See Hollyday's 144.[54]

YOUNG

861.00/7900 : Telegram

The Commissioner at Riga (Young) to the Acting Secretary of State

RIGA, *December 29, 1920—5 p.m.*
[Received 11 p.m.]

286. Situation remains without important change. French political and military missions regard situation as very critical and have destroyed archives and are shipping out all personal effects today. They believe that foreigners will be unable to leave unless by naval vessel for which they telegraphed prior to my request of December 24th. They are uncertain as to whether or not French naval vessel will arrive but believe that safety of missions and foreigners depends upon immediate arrival of foreign man of war. British mission here less apprehensive of immediate danger and much more optimistic regarding internal situation. My own information, obtained from all possible reliable sources, indicates that French are unduly alarmed and that British are possibly over optimistic.

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[54] Not printed.

In view large personnel American Red Cross and their large supplies and bearing in mind the great difficulty of a successful evacuation by train or motor transport should an evacuation become necessary, I trust that Department has taken prompt action on my request for an American naval vessel.

YOUNG

861.00/7879 : Telegram

The Acting Secretary of State to the Commissioner at Riga (Young)

WASHINGTON, *January 7, 1921—6 p.m.*

1. Disregard Department's 106, December 30, 1 p.m.[56]

Force Commander European waters, London, has instructions to keep vessel within easy sailing distance.

Keep Department and also Embassy London fully informed.

DAVIS

REPATRIATION OF AMERICANS DETAINED IN RUSSIA

British Efforts to Arrange for the Repatriation of Americans—Desire of the United States Government that the Transfer to Russia of Hungarian Communists Held in Austria Be Made Conditional upon the Release of All Americans in Russia—Endeavors of Dr. Nansen to Arrange for the Release of Americans

763.72114/5167 : Telegram

The Chargé in Denmark (Schoenfeld) to the Secretary of State

COPENHAGEN, *January 7, 1920—2 p.m.*

[Received 7:45 p.m.]

5. Instructions obtained by O'Grady[57] during his recent sojourn in England appear to extend scope of negotiations with Litvinoff in that, it is understood, British Government is willing now to make every effort to procure repatriation Russian prisoners of war in various European countries besides considering exchange of prisoners in Russia and England respectively. O'Grady stated that a corollary of this is the possibility of repatriation all West European and Scandinavian nationals in Russia. He seems hopeful of being able to conclude negotiations before the end of January.

SCHOENFELD

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[56] Not printed.

[57] James O'Grady, Labor member of the British Parliament, empowered to negotiate with Litvinov respecting exchange of war prisoners.

763.72114/5167 : Telegram

The Secretary of State to the Ambassador in Great Britain (Davis)

[Paraphrase]

WASHINGTON, *January 10, 1920—6 p.m.*

25. Presumably you have received from our Legation in Denmark its telegram to the Department No. 5 of January 7, 2 p.m. in regard to the mission of O'Grady. In case you have not received this telegram inform that Legation that it is the desire of the Department that this and all further messages on the subject be repeated to you.

In case the negotiations by O'Grady may involve, as suggested, the repatriation from Russia of others than British subjects, the Department desires that you present to the British Government the question of including Americans in any arrangement that may be made.

According to the information which this Department has at present, the Americans involved are Mr. Kalamatiano [58] and Mrs. Doty.[59] The American Government also has an interest, however, in securing the release of Mrs. Kennedy, Miss Loviaguine, and Miss Karin Sante.[60]

LANSING

763.72114/5201 : Telegram

The Ambassador in Great Britain (Davis) to the Secretary of State

LONDON, *January 26, 1920—noon.*

[Received 3 p.m.]

133. Your 55, January 21, 2 p.m.[61] Embassy has discussed with the Foreign Office the subject matter of your telegram number 25, January 10, 6 p.m. Foreign Office has now replied formally that the British Government has no objection in principle in the initiation of negotiations by Mr. O'Grady for the release from Soviet Russia of Mrs. Doty and other American citizens provided that such negotiations should not be prejudicial to those already initiated on the behalf of the British prisoners of war and civilians in Soviet Russia.

Foreign Office, therefore suggests that the American Chargé d'Affaires at Copenhagen be instructed to put himself in touch with

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[58] Former employee of the consulate general at Moscow.
[59] Wife of Consul William F. Doty.
[60] Former employees of the Embassy and consulate at Petrograd.
[61] Not printed.

Mr. O'Grady in the matter, though presumably in view of the fact that Miss Sante and Miss Loviaguine are Russian nationals, it is improbable that Monsieur Litvinoff will consent to discuss their respective cases.

DAVIS

763.72114/5201 : Telegram

The Acting Secretary of State to the Chargé in Denmark (Schoenfeld)

WASHINGTON, *January 27, 1920—4 p.m.*

12. British Foreign Office suggests that you get in touch with O'Grady and endeavor to include Americans in any arrangement which he may make involving repatriation of British subjects.

Americans in question are Mrs. Doty and Kalamatiano. This Government is also interested, however, in the release of Miss Karin Sante, a Finnish subject, Miss Loviaguine, a Russian subject, and Mrs. Kennedy, British.

POLK

763.72114/5225 : Telegram

The Chargé in Denmark (Schoenfeld) to the Secretary of State

COPENHAGEN, *February 10, 1920—4 p.m.*

[Received February 11—2:36 a.m.]

48. My telegram number 39.[62] O'Grady informs me he will negotiate with Litvinoff for release of Mrs. Doty and Kalamatiano as desired. He has concluded an agreement for repatriation British nationals. He fears that Kalamatiano's release will not be transacted in view of serious charge on which he was condemned to death and then reprieved, but sentenced to indefinite imprisonment. [Apparent omission] do all he can. Litvinoff is still pursuing inquiries with regard to Mrs. Doty. O'Grady has asked Lady Marling, wife of British Minister here, to include special parcel for Mrs. Doty, Kalamatiano, Mrs. Kennedy, Miss Sante and Miss Loviaguine on their consignment shortly to be sent from here to Russia. I have thanked him for this action.

SCHOENFELD

[62] Not printed.

763.72115/3730 : Telegram

The Secretary of State to the Ambassador in France (Wallace)

WASHINGTON, *May 12, 1920—noon.*

917. American Commissioner Vienna states Austrian Government understand Moscow Foreign Office has requested Allied Powers to put no obstacle in way of transfer from Austria to Russia of Hungarian Communists now interned in Austria. Have French, British or Italian Governments cognizance of such request and has any action been taken?

COLBY

861.00/6922

Memorandum by the Minister in Poland (Gibson), temporarily in the United States

[WASHINGTON,] *May 13, 1920.*

The French Ambassador called yesterday afternoon and stated that the Austrian Government is anxious to get rid of Bela Kun and desires to send him back to Soviet Russia with some of his companions. It appears the Soviet Government is ready to welcome him. The French Government feels that it is desirable to get all the Bolshevists possible into the territory occupied by the Soviet Government but has informed Dr. Renner that Bela Kun can be allowed to return to Soviet Russia only if all European and American prisoners now held by the Soviets are safely returned.

M. Jusserand wished to know whether the American Government had any comment to make on this stand. After consultation with Mr. Polk today I notified the Ambassador that we were in agreement with the French attitude.

H[UGH] G[IBSON]

763.72115/3731 : Telegram

The Ambassador in France (Wallace) to the Secretary of State

PARIS, *May 14, 1920—11 p.m.*

[Received May 14—9 p.m.]

1154. Mission. Your 917, May 12, noon. In response to my inquiry at Ambassadors Conference this morning Laroche [63] stated that French Government had expressed willingness to facilitate

[63] Jules Alfred Laroche, of the French Ministry of Foreign Affairs.

transfer of Bela Kun and other Communists to Soviet Russia provided Soviets permitted French citizens to leave Russia. Agreement similar to British agreement with Soviets was being negotiated for repatriation of French citizens held in Russia but Soviets were putting obstacles in the way. He added that Hungarian Government might make objections. My British, Italian and Japanese colleagues undertook to inquire of their respective Governments when information received. Question will come up again in the conference.

WALLACE

763.72115/3731 : Telegram

The Secretary of State to the Ambassador in France (Wallace)

WASHINGTON, *May 18, 1920—6 p.m.*

954. Your 1154, May 14, 11 p.m.

Following for Vienna, also for your information:

"United States Government hopes that transfer to Russia of Hungarian Communists now held by Austrian authorities, will not take place except in connection with release of all Americans now detained in or out of prison in Soviet Russia. United States Government understands that other governments are assuming similar position. Should common agreement be reached and should Soviet authorities prove amenable, this Government will endeavor to facilitate the transfer. French Ambassador here has been verbally informed that the foregoing is this Government's attitude."

COLBY

763.72115/3734 : Telegram

The Ambassador in France (Wallace) to the Secretary of State

PARIS, *May 27, 1920—6 p.m.*

[Received 11 p.m.]

1203. Mission. My 1154, May 14, 11 p.m. Have received note from my British colleague informing me that his Government consider question is one for settlement by Austrian, Hungarian and Russian Governments. British Government understand that whilst the Austrian Government are anxious to be rid of the prisoners, the Hungarian Government cannot demand their surrender as there is no extradition treaty between Austria and Hungary and that Russian Government cannot demand them as they are not Russian sub-

jects. British Government consider[s] that it has no right to interfere and has no intention of doing so. It supports Derby's [64] view that the question is outside the competence of the Ambassadors Conference.

WALLACE

763.72115/3734 : Telegram

The Secretary of State to the Ambassador in France (Wallace)

WASHINGTON, *June 1, 1920—6 p.m.*

1052. Following for American Commissioner, Vienna, and for your information:

"Department trusts you have conveyed its 954 to Paris to Austrian Government and requests that you add that this Government sympathizes with Austrian desire to transfer interned Hungarians to Russia and would be disposed to urge safe conduct for these persons should Austrian Government succeed in securing release of Americans now illegally detained in Russia."

Repeat your 1202 [*1203*], May 27, 6 p.m. to London.

COLBY

763.72115/3742 : Telegram

The Commissioner at Vienna (Halstead) to the Secretary of State [65]

VIENNA, *June 15, 1920—6 p.m.*

[Received June 17—12:34 p.m.]

233. Your May 18, 6 p.m.[66] State Chancellor Renner's reply to my note of May 20th regarding Hungarian Communists in Vienna states that views of the United States were presented to Bolshevik Government through agent who replied that American citizen could not be [freed] unconditionally before reciprocal treatment of Russian citizen is guaranteed. American view that every Russian suspected of communism is beyond the pale of law makes it impossible for the Russian Government to cancel measures taken in Russia against *bourgeois* citizens of America, they being exceedingly guilty of aiding and abetting Russian reactionaries, but Russia would be inclined to repatriate such citizens if their Government undertook to treat its citizens similarly. Renner respectfully suggests that

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[64] The Earl of Derby, British Ambassador in France.
[65] Sent via the Ambassador in France.
[66] See the Department's telegram, May 18, to the Ambassador in France, p. 672.

conditions imposed by the United States upon transfer of Hungarian Communists to Russia are out of proportion to the mediocre importance of Kun and his companions and that Moscow Government attaches secondary interest to them. Austria would regret if by exaggerating importance of these Hungarians their stay in Austria should be prolonged and no hope be offered to relieve Austria of their burden. Their continuance in Austria prejudices defensive action against Bolshevism in which Austria considers it has scored some successes. Renner refers to Kun and his companions giving themselves airs of martyrs whose importance is advertised by frequent visitors, especially from the Entente. He therefore appeals to the United States to limit as much as possible conditions for its consent to the transfer of the Hungarians to Russia. He will arrange departure so as to avoid attracting public attention.

HALSTEAD

361.11/3452a : Telegram

The Acting Secretary of State to the Minister in Switzerland (Gary)

WASHINGTON, *June 25, 1920—5 p.m.*

258. Press reports Doctor Nansen leaving for Russia via Berlin as head of International Red Cross delegation to repatriate prisoners "including some Americans".

Make every effort to arrange through International Red Cross for Nansen to negotiate for repatriation American prisoners and citizens held by Bolsheviks. American Commissioners Berlin and Riga have information concerning Americans and if International Red Cross willing to undertake such repatriation Department will cable full list of Americans.

Advise where Nansen may be reached. Also ask International Red Cross to take up cases of Mrs. Kennedy and Misses Sante and Loviaguine of British, Finnish and Polish nationality respectively, formerly connected with American Embassy and Consulate Petrograd.

In request to International Red Cross emphasize humanitarian phase but also point out attitude of this Government that Bolshevik authorities are holding Americans contrary to all international practices and that this Government is deeply concerned over mistreatment of non-Americans above named solely because of service with American institutions.

DAVIS

763.72115/3742 : Telegram

The Acting Secretary of State to the Commissioner at Vienna (Halstead)

WASHINGTON, *July 2, 1920—8 p.m.*

402. Your 233, June 15, 6 p.m.

1. You may say to Chancellor Renner that this Government completely fails to understand the reply communicated by him to you as a reflection of Bolshevik opinion regarding Americans in Russia. The Soviet régime deliberately refuse information as to the fate of Americans in Russia, prevent the departure of some and arbitrarily arrest others with the sole aim of using them as hostages to force this Government into direct negotiations from which general political advantages are expected. The case of Lambie [67] and his wife and others are plain examples of such action, that of Mrs. Doty being particularly flagrant. No similar instances can be cited on the part of this Government. On the contrary, its procedure with regard to undesirable aliens in the United States is in conspicuous contrast with the treatment accorded Americans in Russia, in that it deports such persons as may be held to be undesirable, which procedure can in no way be compared to the forcible detention of foreigners who wish to depart.

Furthermore, the usual rules governing the departure of aliens from the United States, namely, that they present a passport issued by a recognized government, have been notably modified especially for the benefit of Russians of Communist sympathies, desiring to leave the United States and proceed to Soviet Russia, who are permitted to leave on the presentation of an affidavit of nationality and identity. Under this plan 500 to 600 Russians now leave this country every month.

It is also to be remarked that no nationals of a third country have been detained or arrested by the United States Government simply because of their having been employed in an institution maintained in this country by the Moscow régime, as has been the case with Mrs. Kennedy and the Misses Sante and Loviaguine, formerly employed by the American Embassy and Consulate, who are respectively of British, Finnish and Polish nationality. Allegation is made that certain Americans are "exceedingly guilty of aiding and abetting Russian reactionaries." This Government is at present aware of only one American, namely, Xenophon Kalamatiano, so accused, and in its opinion, the charges against him are false. Furthermore, the conditions of his detention for the past year and a

[67] W. J. Lambie, dentist, detained in Russia.

half have been so clearly those of intentional starvation and deliberately inflicted mental anguish that the punishment has been out of all proportion to the flimsy nature of the charges against him.

It is believed that if the attitude of this Government with respect to the departure of Russian subjects from the United States is made clear to the Soviet administration, they will, doubtless, reciprocate by permitting the departure of these American citizens.

2. You will note that the foregoing contains nothing as to Department's action in case Bolsheviki maintain their attitude expressed in your telegram. Telegraph your recommendations.

DAVIS

763.72115/3757 : Telegram

The Commissioner at Vienna (Halstead) to the Secretary of State[68]

VIENNA, *July 15, 1920—3 p.m.*
[Received July 16—10:13 a.m.]

255. . . . Austrian Government intends to send Bela Kun and one associate to Russia tonight via Germany on a train conveying Russian prisoners home who sail July 9, from Danzig. The Russian Government threatened that if Kun were not immediately sent to Russia it would stop the return of all Austrian prisoners until Kun had arrived in Russia. Having received no reply to my note of July 9 to Foreign Secretary Renner which expressed the Department's views set forth in its telegram of July 2, 8 p.m. I have written requesting a reply and indicating that it would be unfortunate if any decision were made in Kun's case before I had an opportunity to communicate with and receive a reply from Washington. It seemed desirable to indicate that if it were certain that reciprocal return of Americans in Russia was impossible I should be prepared to recommend that the Government of the United States withdraw its suggestions in that regard. The purpose of the Austrian Government in not notifying me of its decision was manifestly to prevent delay in a case upon which it regarded immediate action as imperative in its own interest. The Department will realize the tremendous pressure the relatives of Austrian prisoners in Russia have exerted for their return. It is evident that the Austrian Government by holding Bela Kun cannot change the Soviet attitude toward Americans and by persisting in that course could only injure its own people. Personally I regret Kun's release but it could not be avoided.

HALSTEAD

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[68] Sent via the Ambassador in France.

763.72115/3758 : Telegram

The Commissioner at Vienna (Halstead) to the Secretary of State[69]

VIENNA, *July 16, 1920—4 p.m.*
[Received July 17—7:14 a.m.]

259. My 255, July 15, 4 [*3*] p.m. Bela Kun accompanied by Doctor Warta was sent to Russia at 9 o'clock last night. Will have communications from Foreign Office to telegraph tomorrow.

HALSTEAD

361.11/3470 : Telegram

The Chargé in Sweden (Wheeler) to the Secretary of State

[Paraphrase]

STOCKHOLM, *July 19, 1920—8 p.m.*
[Received July 21—1:52 a.m.]

145. The following message is sent at the request of Dr. Nansen who arrived in Stockholm today coming from Moscow through Reval:

"The International Red Cross in Geneva sent me a telegram on behalf of the American Government asking that I take up with the Russian Soviet Government the question of relieving Americans who are prisoners and are being detained in Russia. I complied with this request and discussed the subject with Chicherin. I also looked up Eiduck who is the head of the Central Organization in charge of prisoners. They said that they were willing to free most Americans and permit them to leave the country. They wished very much, however, to negotiate about it directly with the American Government. I took up the question of the three women employed by the Legation of the United States in Russia who are under arrest. I was told that Mrs. Kennedy had been freed already and that they were willing to free Miss Sante as soon as they could learn her whereabouts.[70] There were difficulties of course with regard to Miss Loviaguine on account of the war. I strongly urged them to let Miss Loviaguine go. They did not appear to be very much opposed to this. I told him [*Eiduck?*] that Miss Sante, according to the information I had, should be in northern Russia, probably at Vologda.

I received from the International Red Cross Committee as I was leaving Christiania the list of Americans in Russia. When in Moscow I told the Russians that as soon as I reached home I would telegraph the list to them. Tomorrow I will do so. I gave them in the meantime a list of Americans in Moscow which I obtained there. I

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[69] Sent via the Ambassador in France.

[70] By telegram no. 103, June 20, 1921, the Chargé in Finland reported that Miss Sante had arrived in Finland (file no. 124.613/423).

talked to them especially about Kalamatiano who is under death sentence. I warned them against touching him since this would certainly arouse the feeling of the American people against Russia and would increase still more the difficulties of coming to an understanding with the United States. I made the proposal that they should exchange him for a Russian in America but they said that as he was under death sentence this was not possible. I suggested that they then find some other excuse for releasing him, as I considered that would be a wise thing for them to do. As soon as the United States makes a definite request, I think the hope of getting Americans out of Russia is good."

WHEELER

763.72115/3767 : Telegram

The Chargé in France (Harrison) to the Secretary of State

PARIS, *July 30, 1920—2 p.m.*
[Received 8:38 p.m.]

1471. Regarding recent release of Bela Kun and Warta by Austria, Dr. Nansen now in Paris states that these men are now confined in Germany. Austria asked permission of the German Government to send them through Germany to Russia. The German Government refused. Austrian Government then disguised them as Russian prisoners of war. They succeeded in reaching northern port and embarked with another prisoner on German vessel without being detected. After departure of vessel German Government learned of their identity and destroyers were sent to remove them from vessel. This was done and they were taken from vessel and brought back to Germany where they are now confined.

HARRISON

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123 D 74/238 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *August 4, 1920—noon.*
[Received 5:17 p.m.]

91. Mrs. Doty formerly prisoner in Petrograd reported at consulate August 2nd and left town immediately. She left Russia about July 1st in company with other Americans.

YOUNG

361.11/3489 : Telegram

The Ambassador in Great Britain (Davis) to the Secretary of State

LONDON, *August 10, 1920—3 p.m.*
[Received August 10—2:05 p.m.]

1201. My 1186, August 7, 1 p.m.[71] Following is text of intercepted message appearing in Wireless News of 7th instant:

"To the Foreign Secretary Christiana, Moscow, August 6th. I beg that you will make the following communication to Dr. Nansen. The Soviet Government have always been ready to grant American citizens in Russia no less privileges and courtesies than those granted in America to citizens of Soviet Russia but I regret that you have been obviously misinformed in respect of the treatment accorded in America to Russian citizens wishing to return home. According to information which we have received from America the situation there is the following, while the American Government have issued rules permitting Russian citizens to apply for permission to leave on the basis of affidavits of identity, it is practically impossible for Russians, loyal to Soviet Government, actually to leave because the issue of affidavits has been placed by the American Government under the control of former Russian consular officers with whom a Russian citizen can have no intercourse but who nevertheless are still being recognized by the American Government. The American Government thus compel a Russian citizen either not to seek permission to leave or to become a traitor to his Government by official dealings with the enemies of Russia, enemies who moreover place every obstacle in the way of Russians wishing to leave whom they suspect of sympathies with Soviet Government. The attitude of America towards Soviet Russia also makes impossible the sending of Russian ships for the conveyance of returning Russians or the chartering of ships for such a purpose and the internationally organized enmity of governments towards Soviet Russia, which is shared by the American Government, impels consular officers of countries through which Russian citizens pass if returning on vessels of other nations not to issue the necessary visas; thus every Russian citizen in America is in practice retained in America.

We note that the American Government ask for the repatriation of Kalamatiano who has been convicted as a military spy and a criminal plotter; and with some interest we note that he is designated by the American Government as an official of an American consulate notwithstanding the fact that the former American consul in Moscow, Mr. Bolls [*Poole*], in the Senate of the United States under oath testified that he was not employed in such a capacity. We do not find in your communication any promise from the American Government to permit the departure of Russians who have been sentenced in masses in America to long terms of prison for no other offence than that they remained loyal to Soviet Russia and in some instances in the case of Mollie Steiner, A. Epstein, and A. Pach-

[71] Not printed.

novski were sentenced to 20 years imprisonment for protesting against American military activities in Russia with whom however America is at peace. The Soviet Government will gladly seek a satisfactory solution of the question raised by you if real reciprocity in this effect can be reached, if the American Government remove all obstacles now preventing Russians from leaving America, including all those who have been imprisoned for political offense, such persons to be named by our representative in the United States Ludvig Martens, if a safe conduct to Russia is granted to such persons, and finally if the Russian Government are placed in a position to provide ships to transfer Russians from America to Russia. I assure you that we will meet your request in a spirit of unquestionable fairness of which we have given so many instances to America, for instance by the unconditional release of American prisoners etc. during the unjust and unprovoked military interference by America in Russia in internal affairs. You may suggest to the United States Government that they shall enter into direct negotiations with M. Litvinoff on the aforesaid basis. The People's Commissary for Foreign Affairs. (signed) Tchitcherin.["]

Nansen believes nevertheless that it will be possible to effect by negotiation the repatriation of American prisoners from Russia and desires to obtain from the Department a detailed proposal of intentions of American Government which he can submit without delay to Bolshevik Government at Moscow and Litvinoff at Copenhagen. In making this suggestion he believes Reval would be most feasible destination for American refugees but inquires what shipping facilities are available for their return to the United States.

DAVIS

361.11/3492 : Telegram

The Ambassador in Great Britain (Davis) to the Secretary of State

LONDON, *August 11, 1920—7 p.m.*

[Received 8:40 p.m.]

1210. My 1201, August 10th, 3 p.m. Nansen requests following message be transmitted to Department.

"I will wait for an answer from you before doing anything regarding reply from Tchitcherin transmitted to you through American Embassy. Think it would make matters easier if you could allow Russians wishing to leave America to be examined by some American instead of Russian officials who are not recognized by Soviet Government. Think it might also be easier arranged to charter ships for bringing Russians from States to Russian port. Would like to know what you wish stated regarding Kalamatiano's real position in American consulate and also your views regarding other points in Tchitcherins telegram."

Nansen believes Soviet Government will eventually consent to repatriation of Americans but he will postpone further action in their behalf pending further instructions from the Department.

DAVIS

861.11/3474 : Telegram

The Secretary of State to the Chargé in Great Britain (Wright)

WASHINGTON, *August 21, 1920—5 p.m.*

894. Your 1134, July 28, 4 p.m.[72] 1201, August 10, 3 p.m. and 1210, August 11, 7 p.m.

Nansen is head of International Red Cross as well as representative of League of Nations. The Department is dealing with him in his Red Cross capacity. You may communicate to him as an agent of the International Red Cross the substance of the following message.

"The Department of State highly appreciates your endeavors on behalf of the American citizens detained in Russia and has given careful attention to the communication from Moscow addressed to you, which was forwarded by the Embassy August 10, 3 p.m. and your message to the Department, transmitted August 11, 7 p.m.

In reply the Department informs you that Mr. Tchicherin is sadly misinformed about conditions in America. In order to avoid the question of the jurisdiction of the Russian Consulates over citizens of Russia, who refuse to recognize them, a special order has been issued arranging that permits for departure shall be issued by American officials on affidavits of birth and nationality without reference to the Russian Consuls or Embassy. In fact, 600 such permits have been issued Russians between April 17th and August 12th. The Department has no information as to the numbers who have actually left.

Undoubtedly there are serious difficulties in travel, which cannot be wholly overcome until shipping returns to normal. In regard to the alleged difficulties, which bearers of such permits have had with Consuls of other countries, the Department has no information, no jurisdiction, and can assume no responsibility.

There would appear to be no legal reason preventing you from chartering a ship under a recognized flag and taking on any passengers who had secured passports or permits of departure.

In the absence of regular diplomatic and commercial relations, the appearance of a ship in our ports, under an unknown flag and purporting to be under the registry of the Soviets, might well cause complications this Government is not inclined to risk. However the problem of the transportation of passengers of Russian origin, wishing to return home, could be easily solved by a chartered ship under a recognized flag.

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[72] Not printed.

This Department is persuaded that no good will be accomplished by entering into controversy over the other inaccuracies in Mr. Tchicherin's message to you. But for your information it is pointed out that no 'masses' of Russians have been arrested on any charge; that no individuals have been arrested for loyalty to the Russian Soviets. Such Russians as have been accused of violation of American law, have been tried without any discrimination on account of nationality.

The Department will shortly send you a detailed statement in regard to Kalamatiano,[74] but wishes at this moment to emphasize that in so far as private citizens, not accused of crime, are concerned, this Government has done all in its power to facilitate their departure, in sharp distinction to the policy at present in force in Moscow."

COLBY

361.11/3508 : Telegram

The Chargé in Great Britain (Wright) to the Secretary of State

LONDON, *August 28, 1920—2 p.m.*
[Received August 28—11 : 30 a.m.]

1310. Nansen has replied by telegraph to Moscow conveying substance of message contained in your 894, August 21, 5 p.m. Nansen leaves for Christiania today and can be reached care of American Legation there.

WRIGHT

361.11/3521 : Telegram

The Secretary of State to the Chargé in Norway (Curtis)

WASHINGTON, *September 24, 1920—6 p.m.*

32. Your 54, September 14, noon.[74] Department is anxiously awaiting news as to the progress of Dr. Nansen's negotiations regarding repatriation of Americans in Soviet Russia. If possible, arrange an interview with him as soon as possible and communicate to him the following:

"The Department very highly appreciates the devotion with which Dr. Nansen has attempted to secure from the Russian Soviets the necessary permits of departure for the American citizens there who are desirous of leaving and fully appreciates the difficulties which he has had to face. It should like a frank statement from him of his opinion of the chances of success in the present circumstances. In every communication received indirectly from the Soviets either through Dr. Nansen or through other channels, Tchitcherin has indicated that the condition precedent of success in

[74] Not printed.

such negotiations must be direct dealings between an American official and a representative of the Soviets. Does Dr. Nansen believe that this objection can be overcome? If he feels that the Soviets will stand on this position, the Department cannot ask him to continue negotiations which he considers hopeless.

If, however, Dr. Nansen believes that this obstacle can be overcome, the Department hopes that he will carry on the negotiations as rapidly as possible. Dr. Nansen can not be burdened with the legal technicalities involved in determining questions of citizenship. The Department suggests that he rely on his own judgment and use his good offices for all individuals who seem to be or whom he reasonably believes to be American citizens and that he arrange, if possible, for the release of such persons and their transportation across the border, where the American Red Cross will look after their physical welfare and the American Diplomatic and Consular Officers can study the legal aspects of their claims and arrange for their transport home. If peace treaty has been signed between Soviets and Finland, the Department would prefer that route as regular diplomatic relations have been established with Finland. However, if Dr. Nansen finds the Baltic Province route more practical, there is no doubt that the Esthonian and Latvian authorities would cooperate. As soon as Dr. Nansen indicates which route will be used the Department will place at the disposal of its representatives adequate funds to meet expenditures incurred by Dr. Nansen in this work.

The Department is forwarding by mail to Christiania the names of all persons in Russia known to be claiming American citizenship. It is suggested that Dr. Nansen might get fuller and more recent lists from the American Chargé in Helsingfors or from the American Commissioner in Riga.

The Department will be grateful to Dr. Nansen for a statement in regard to his plans and hopes."

For your personal information the Department is especially desirous that Dr. Nansen should feel that his efforts have been appreciated and wishes to encourage him in his endeavors as long as he has reasonable hopes of success. If, however, he has no faith in the prospects of early success, the Department would like to be informed so that other plans may be worked out.

COLBY

361.11/3527 : Telegram

The Chargé in Norway (Curtis) to the Secretary of State

CHRISTIANIA, *September 25, 1920—7 p.m.*

[Received 9:34 p.m.]

55. Your telegram number 32, September 24th, 6 p.m. A reply to your 30, September 13th, 3 p.m.[75] has been delayed a few days

[75] Not printed.

owing to Doctor Nansen's desire to obtain confirmation in writing of assurances given him in Russia; this has not yet been received. He believes the chances of success excellent in the present circumstances although he feels sure that results would be obtained more quickly by direct negotiations between an American official and a representative of the Soviets.

He sees no objection at present to the route through Finland which is that now used by returning French prisoners but suggests sending no funds until the departure of the Americans is certain.

On his last trip to Russia he went to Kovno only, where he met Eiduck who has charge of questions as to the departure of foreigners. The latter said that all the Americans would be permitted to leave Russia if all Russians were permitted to leave the United States but refused to confirm this in writing because he was corresponding with Lenin and Tchitcherin and wished them to approve his letter beforehand. Kalamatiano was not mentioned in this connection but Nansen feels practically certain that he will not be executed and when he mentioned his repatriation it was not definitely refused although Eiduck complained of the retention of Russians in the United States saying "some of our very good men are in prison there." He added that there were about a thousand Russians whom it was desired to bring; Nansen suggested that Soviets charter a steamer to repatriate Russians now in the United States saying that he would charter the vessel if the funds were sent to him; if a ship is secured he recommends that our Government advertise throughout the United States that any Russian so desiring may leave by it. He believes that his work will be greatly assisted if he is able to state that every Russian now in prison for no crime more serious than the dissemination of propaganda will be permitted to depart in this way and requests such authorization if possible.

He feels confident that he can secure the departure of most if not all of the Americans before very long even without the aforesaid authorization. He hopes to remain here for 10 days and has now no definite plans thereafter.

CURTIS

861.00/7465a : Telegram

The Secretary of State to the Ambassador in France (Wallace)

WASHINGTON, *October 1, 1920—5 p.m.*

1526. Press reports that French have threatened their Black Sea fleet will take action against Soviet Russia unless all French prisoners in Russia are repatriated by October 1st and that wireless message from Moscow quotes Chicherin as saying "We bow to brute force".

Inquire at Foreign Office concerning alleged French threat and cable all possible facts.

COLBY

861.00/7481 : Telegram

The Ambassador in France (Wallace) to the Secretary of State

PARIS, *October 5, 1920—7 p.m.*
[Received October 6—7 : 09 a.m.]

1777. Your 1526, October 1, 5 p.m. Press reports were substantially correct. Negotiations for mutual repatriation of nationals between Chancellor of French Legation and Litvinoff at Copenhagen were concluded last April. After some delay on account of transportation difficulties all Russian prisoners in France and Algeria were repatriated last summer but there were continued procrastination and excuses on the part of the Soviet Government in fulfilling its part of the agreement. In the last days of September the French Government issued the ultimatum reported, the result being Chicherin's statement and the arrival in Paris yesterday of 240 repatriated French citizens. Foreign Office believes remaining French prisoners also being repatriated and now on Finnish border. The assistance given by Dr. Nansen is appreciated.

WALLACE

361.11/3544 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *October 14, 1920—4 p.m.*
[Received 5 : 48 p.m.]

220. Have reason to believe that should Department so desire immediate release of all Americans now in Soviet Russia can be obtained in exchange for the Russian children who have been in care American Red Cross and who have recently arrived Finland.[76]

YOUNG

361.11/3544 : Telegram

The Acting Secretary of State to the Commissioner at Riga (Young)

WASHINGTON, *October 15, 1920—6 p.m.*

72. Your 220, October 14, 4 p.m.

Department has carefully avoided any responsibility in connection with the so-called Petrograd Children's Colony and cannot entertain

[76] Transported from Vladivostok.

favorably any proposition looking to their exchange for Americans detained in Russia, as it believes these children should be returned to their parents as soon as possible.

DAVIS

361.11/3622 : Telegram

The Minister in Poland (Gibson) to the Acting Secretary of State

WARSAW, *December 6, 1920—5 p.m.*
[Received December 7—11:58 a.m.]

622. Polish Government has expressed willingness to discuss with Soviets delegation, Riga, exchange Americans in Soviet Russia. Young has informally furnished list of names and suggests I ask Department as to how far matter should be pressed. Request instructions.

GIBSON

361.11/3642

The Minister in Switzerland (Gary) to the Acting Secretary of State

No. 402 BERNE, *December 11, 1920.*
[Received January 13, 1921.]

SIR: I have the honor to refer to the Department's cable of November 24/6 p.m.[77] sent to Christiania, forwarded to us for action, in which the Department states that it would welcome an expression from Dr. Nansen as to the desirability of his continued efforts to secure further releases of Americans now held in Russia.

I immediately acquainted Dr. Nansen who is in Geneva with the substance of the Department's telegram and I am this morning in receipt of a reply from him, a copy in translation of which I am enclosing herewith.

I have [etc.] HAMPSON GARY

[Enclosure—Translation]

Dr. Fridtjof Nansen to the Minister in Switzerland (Gary)

GENEVA, *December 9, 1920.*

MR. MINISTER: In reply to your letter of the 2nd, I have the honor to inform you that I am working unceasingly to obtain the liberation of American citizens who are still held prisoners in Russia. I believe it is preferable for the moment not to insist too much upon

[77] Not printed.

the return of these prisoners, for the reason that the Soviet Government might believe that we attach a very great importance to these latter and would be tempted then to make use of it for the negotiation of other conditions.

Concerning Mr. Kalamatiano I have already made many advances of which the Government of the United States has been informed and it seems to me that it will be better in this case also to wait a little longer for the decision of the Soviet Government before renewing my demand.

I can assure you that I shall neglect no opportunity for bringing this affair to a happy end and if I am writing to you in this sense today it is only in the interest of those prisoners in question and of the Government of the United States.

In asking you to kindly take these lines in consideration accept [etc.]

FRIDTJOF NANSEN

361.11/3622 : Telegram

The Acting Secretary of State to the Minister in Poland (Gibson)

WASHINGTON, *December 11, 1920—8 p.m.*

470. Your 622, December 6, 5 p.m.

This Government has accepted the kind offer of Dr. Nansen, representing the International Red Cross, to negotiate with the Soviet for the release of Americans held in Russia. These negotiations are now in progress and have already met with some success and the Department is not willing at present to start any new negotiations which might conflict with these. However, you may inform the Foreign Office that if this matter arises in the discussions at Riga, that the Department would be highly gratified if the Polish delegation would use its influence to support Dr. Nansen and to facilitate the work he has undertaken on behalf of these Americans.

DAVIS

DEPORTATION FROM THE UNITED STATES OF UNDESIRABLE RUSSIANS

311.6124/—

Mr. L. Martens to the Secretary of State

No. D–10/8 NEW YORK, *November 15, 1919.*

[Received November 17.]

SIR: In behalf of the Russian Socialist Federal Soviet Republic I have the honor to call your attention to the following facts:

Many citizens of that Republic residing in the United States are at this time subjected to unwarranted persecution and cruel treatment by federal and state officers, as well as by violent mobs acting without any authority. The Government of the Russian Socialist Federal Soviet Republic has accorded American citizens in Soviet Russia civil and considerate treatment even in cases where active hostility on the part of such American citizens toward the Government of Soviet Russia has been proven beyond all doubt. Only in some exceptional cases, where offences of a particularly grave nature against the Russian Government had been committed by American citizens, were they prosecuted by officers of the law. American soldiers taken prisoners in the Archangel district, which was invaded by American troops without a declaration of war, have been treated in Soviet Russia with especial consideration, and were unconditionally released as soon as it was practicable to send them home, so that there remain today no American prisoners of war in Russia. Property of American citizens who have complied with the laws of the country has not been interfered with, and wherever any complications have arisen in this respect the Government of Soviet Russia has been, and is, ready to adjust matters so as to safeguard the rights and the interests of American citizens.

This attitude has been maintained by the Soviet Government toward the United States and its citizens, resident and sojourning, in Russia notwithstanding the fact that Soviet Russia, against its will, finds itself in a state of war imposed from without, and in the midst of a revolutionary struggle which naturally makes the conditions in the country abnormally critical. Yet, contrary to the comity of nations, citizens of Soviet Russia in the United States have in effect been denied the protection of the law.

The lot of thousands of Russians in the United States today is exceedingly unhappy, through no fault of their own. Through daily abuse in the press and the prejudice created by a virulent campaign of misrepresentation, their Russian citizenship has become a bar to employment and advancement. They are indiscriminately accused in the most sweeping terms by government officials, of criminal and subversive acts and intents against the Government of the United States, of which they are quite innocent. They have been arrested without warrant and subjected to oppressive treatment against which they have no adequate protection, as citizens of a country whose Government is not recognized by the Government of the United States. Within the past few days great numbers of Russian citizens in the city of New York and elsewhere have been arrested and have suffered the most brutal physical violence at the hands of public officials. Their homes, and the places where they associate, were invaded by public officers and arrests have been made

on suspicion of alleged unlawful activities. No effort, however, had been made by the police first to ascertain the probable guilt of the Russian citizens who were to be arrested. So, for instance, in the City of New York alone, according to press reports, over one thousand persons were recently arrested, among them many citizens of Soviet Russia, and although these arrests were made in a manner which caused much suffering and physical injury to these Russian citizens, and although property belonging to them was wantonly destroyed during those raids, it developed that very few of them could be held for further investigation and criminal prosecution.

In behalf of the Government of the Russian Socialist Federal Soviet Republic I deem it my duty to protest against such acts.

A number of affidavits bearing evidence to the fact that the lives and liberties of Russian citizens have been threatened without reasonable ground will be submitted to the State Department in a few days.

According to reports in the daily press, a number of citizens of the Russian Socialist Federal Soviet Republic are being held in custody by United States immigration officers, and it is proposed to deport them to parts of Russia which are under the control of enemies of the Soviet Republic. Having no means to ascertain the truth of such reports, I still deem it my duty to call your attention to the fact that such deportation would mean certain death to those Russian citizens and would constitute a most flagrant breach of all principles of international law.

Moreover it is quite unnecessary for the Government of the United States to take the trouble of deporting citizens of the Russian Socialist Federal Soviet Republic. My office has received thousands of applications from Russian citizens who desired to return to their homes. They had been driven by the political, economic, and religious oppression of the Czar's government to seek refuge in the United States which they believed to be a haven for the oppressed of all nations. They had hoped to make their homes here and to become useful members of the community. Now, however, that they are daily insulted in the press and by public officials too, with intimations that their presence is not wanted in this country, they are only too anxious to leave. But they are prevented from leaving America by the authorities of the United States, who have made it practically impossible for citizens of the Soviet Republic to receive the requisite papers without which they cannot secure transportation.

I therefore respectfully suggest that the United States Government could be easily relieved of the presence of unwelcome Russian citizens, if all those citizens of Russia whose lives are becoming unbearable in the United States were permitted to depart. I desire to assure you, Sir, that the Government I have the honor to represent

is ready and willing to provide means of transportation from the United States to Soviet Russia, for every Russian citizen in this country who desires to return home, or whose presence in this country is undesirable to the Government of the United States.

Trusting that this suggestion will receive your favorable consideration, I am [etc.]

L. MARTENS
Representative in the United States of America of the Russian Socialist Federal Soviet Republic

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311.6124/4a : Telegram

The Secretary of State to the Commissioner at Riga (Gade)

WASHINGTON, *December 11, 1919—3 p.m.*

Orders of deportation from the United States have been issued in the cases of about 150 aliens of Russian origin who have made it impossible by their anarchistic agitation against this government for this country to continue longer to grant them its hospitality. In accordance with the law and the usual practice it is desired to return them to the country of their origin. The peculiar situation now existing in Russia necessitates special arrangements. The known tendency of the persons to be deported to affiliate with the so-called Bolshevik group makes it appropriate and desirable that they be returned to the parts of Russia under the control of the Bolsheviki. There is however no port to which they can now be sent which will admit them directly to such territory. In these circumstances it will be necessary to arrange if possible for their transit through a port not in Bolshevik hands. It is desired that you ascertain at once from the competent local authorities whether they can be landed at the port of Libau or Windau, as may be most convenient, and given safe conduct by train and humane treatment till they reach the front and be passed over into the Bolshevik lines. The party would arrive on an American ship in charge of representatives of the United States Department of Labor. This government would of course bear all expenses connected with their transfer to the Bolshevik lines and it would be desirable to send with them that far several of the Department of Labor representatives to cooperate with the local authorities. It is necessary to have a prompt reply as the ship will be ready to sail from New York in ten days or a fortnight.

It is considered important that the party pass only through Russian territory and you will make every effort accordingly to secure the cooperation of the Baltic Governments.

LANSING

311.6124/5 : Telegram

The Commissioner at Riga (Gade) to the Secretary of State

RIGA, *December 17, 1919—6 p.m.*
[Received December 19—12 : 55 a.m.]

44. Your December 11, 10 a.m. [*3 p.m.*] I am happy to inform you I have succeeded in inducing the Latvian Government to permit transport about 151 aliens of Russian origin from the port of Libau to Latvian-Bolshevik frontier; military authorities will see them across the line. Owing to strong Bolshevik sympathies and difficult internal condition as also practically no rolling stock, considerable favor has been extended us. Owing to not reliable Latvian guards I strongly advise sufficient American guards to take charge of train. I have offered as compensation reasonable amount of flour and canned goods to be shipped on the same vessel which when arriving will be stated to leave these articles earliest possible date. I shall also need about thousand dollars. Latvian Government also anxious to have two regiments tried and loyal Latvian soldiers, 3,500 men now at Vladivostok under French command transported by assistance American tonnage from there to Latvia for use Bolshevik from [*front?*] where they are urgently needed. I have made no promises in this matter but strongly urge assistance.

GADE

311.6124/5 : Telegram

The Secretary of State to the Commissioner at Riga (Gade)

WASHINGTON, *December 19, 1919—5 p.m.*

Your 44 December 17, 6 p.m. The Department is pleased that the negotiations have progressed so far. It does not desire however to offer the local authorities compensation for what is asked as a courtesy, and your offer of flour and canned goods was in excess of your instructions. Precisely what amount of these goods are in question?

Negotiations are now being conducted by the Allies and the United States for the repatriation from Eastern Siberia of friendly troops, but this cannot be made a consideration in the present matter.

You will explain to the Lettish authorities that the United States desires the privilege of sending to the port of Libau the deported aliens in question and assurance of their safe conduct to the Bolshevik frontier, and cable their definite answer at the earliest possible date as the ship will sail December 21st.

LANSING

311.6124/6 : Telegram

The Commissioner at Riga (Gade) to the Secretary of State

RIGA, *December 21, 1919—1 a.m.*
[Received 4:45 a.m.]

48. Your Dec. 19, 5 p.m. Latvian Government is happy to extend courtesy to United States of permitting 150 aliens to land Libau and guarantee transport to Bolshevik lines and see aliens across frontier. The total cost will approximate four pounds sterling per person. The Latvian Government would value, in place of being paid this cost, to receive shipped immediately, if possible by same steamer, equivalent value in flour. The authorities are as yet unable to determine point of frontier where troops sufficiently dependable to permit certain transfer of aliens over frontier. I would have failed in original negotiations had I not brought in element of food stuffs wanted, actual financial reimbursement being of slight value and troops needing additional rations. Transfer Siberian troops does not enter into negotiations.

GADE

311.6124/10a : Telegram

The Secretary of State to the Ambassador in Great Britain (Davis)

WASHINGTON, *December 23, 1919.*

There are being deported from the United States to Soviet Russia about 250 citizens of Russia who are undesirable here. These persons, while enjoying the hospitality of this country, have conducted themselves in a most obnoxious manner; and while enjoying the benefits and living under the protection of this Government have plotted its overthrow. They are a menace to law and order. They hold theories which are antagonistic to the orderly processes of modern civilization. They have indulged in practices which tend to subvert the rights which the Constitution of the United States guarantees to its citizens. They are arrayed in opposition to government, to decency, to justice. They plan to apply their destructive theories by violence in derogation of law. They are anarchists. They are persons of such character as to be undesirable in the United States of America and are being sent whence they came. The deportation is in accordance with the law.

Precaution has been taken to request for them safe conduct and humane treatment at the hands of the authorities under whose jurisdiction they will pass *enroute* to Soviet Russia.

Repeat to Stockholm, Christiania, Copenhagen, The Hague and Brussels, sent direct to Paris to repeat to Sofia, Am[erican]commiss[ioner] Riga, Warsaw, Berne, Prague, Rome, Madrid, Lisbon with instructions to each to present to foreign office and to release for publication, and Paris to repeat to Berlin, Vienna, and Budapest to release for publication.

LANSING

311.6124/6 : Telegram

The Secretary of State to the Commissioner at Riga (Gade)

WASHINGTON, *December 24, 1919—1 p.m.*

Your 48 December 21, 1 a.m. United States transport *Buford* sailed from New York December 21st having on board 249 Russian subjects and will reach Libau not later than January 12. You will be advised of ship's progress.

F. W. Berkshire, Immigration Inspector in charge of party, carries letter of introduction to you.

Please perfect arrangements as far as possible before arrival of ship. You or a responsible representative of yours should be at the port. Berkshire's instructions are simply to place himself in your hands and be guided by the arrangements which you have made.

Food of a value equivalent to cost of transporting Russians estimated at $4000 will be placed at disposal of Latvian authorities either being shipped by first opportunity or found for them in Europe.

LANSING

311.6124/14 : Telegram

The Commissioner at Riga (Gade) to the Secretary of State

RIGA, *January 5, 1920—3 p.m.*

[Received 9:30 p.m.]

60. Recent political events coupled with present offensive make a landing and transfer of aliens extremely difficult. Lack of engine makes it impossible to transfer at Libau. I am attempting to land party at Riga. Weather conditions for the occasion greatest element of danger. Publication of name of vessel and the purpose of its trip has embarrassed Lettish Government which is daily obliged to take strong measures to retain control over Bolshevik elements in the country. I shall do my utmost.

GADE

311.6124/15a : Telegram

The Secretary of State to the Commissioner at Helsingfors (Haynes)

WASHINGTON, *January 7, 1920—6 p.m.*

Situation is developing in Latvia in such a way as to make it unlikely that deported aliens can be transferred to Bolshevik Russia through Libau. Telegraph urgently whether it would be possible to arrange for their transfer through Hangö. They number 249. The ship would reach Hangö probably January 12. This Government would, of course, bear all expense connected with the transfer.

LANSING

311.6124/16 : Telegram

The Commissioner at Helsingfors (Haynes) to the Secretary of State

HELSINGFORS, *January 9, 1920—8 p.m.*

[Received January 10—3 a.m.]

518. Department's telegram of January 7, 6 p.m. Have succeeded gaining consent and cooperation in every way for transfer through Hangö. Attacks against Finnish Government sure to result, but to no probable permanent effect. Awaiting definite decision as to Hangö.

HAYNES

311.6124/14 : Telegram

The Secretary of State to the Commissioner at Helsingfors (Haynes)

WASHINGTON, *January 10, 1920—5 p.m.*

Your 518, January 9, 8 p.m. *Buford* ordered diverted from Libau to Hangö and should probably arrive about the 13th. Ship must be met by a competent representative of your office. F. N. Berkshire, Immigration Inspector in charge for the Department of Labor, has been instructed to be guided entirely by the arrangements which you make. You are authorized, in order to provide the necessary funds, to draw on the Secretary of State, advising dates and amounts of drafts immediately by cable.

It is considered desirable, if convenient, for one or more Department of Labor representatives to accompany aliens to Russian border.

If certain of the deported aliens desire to execute Powers of Attorney or other documents relating to the disposition of their property in this country, and this can be done conveniently, there is no objection provided the documents are executed before an American official. The last preceding clause is important.

With respect to public opinion in Finland, it is the view of this Government that the aliens in question having abused the hospitality of the United States should be deported to their homes and that the only humane course is to send them to the portions of Russia controlled by the Bolsheviki but that the Bolshevik strength will probably not be materially increased thereby, because, while some of these people are Bolshevik sympathizers they are in large part temperamental discontents who will be troublesome wherever they are.

You will express to the Finnish Government the appreciation of this Government for its cooperation.

LANSING

311.6124/17 : Telegram

The Commissioner at Helsingfors (Haynes) to the Secretary of State

HELSINGFORS, *January 10, 1920—9 p.m.*
[Received January 11—12 : 55 a.m.]

519. Departments telegram of January 8 [7], 6 p.m. Finnish Government consents to transfer on the following conditions.

1st. The Government of the United States bear all transfer expenses and furnish food for three days.
2d. Transfer will be made in closed wagons under Finnish military surveillance.
3d. All intercourse between the deported and the population forbidden.
4th. Deported not to leave ship before all is ready for direct journey from Hangö.
5th. Arrangement for date of crossing Finnish-Russian frontier and effort to obtain Soviet promise that no shooting occurs during crossing will be requested of Esthonian authorities both by Finland and the United States since Esthonia is only country on speaking terms with Soviet.
6th. A list of the deported with as accurate details as possible to be given Finnish Government.

The Finnish Government asks if the Government of the United States will consent for the Finnish Government to retain ten Bolsheviki within Finnish territory until Soviet fulfills agreement made through Danish Red Cross, May 13, 1919, to liberate Finnish subjects retained in St. Etienne, the Russians which were to be given in exchange having been already repatriated. Finnish Government says, at an earlier period, Danish Government consented to Finland retaining, this as security, some of the Russian Bolsheviki and trusts that America will grant like favor as a return service for

readiness to allow transfer thru Finland. All expenses caused by retention of the ten Bolsheviki to be defrayed by Finnish Government. In the event the United States does not consent, Finland will nevertheless co-operate all possible.

HAYNES

311.6124/17 : Telegram

The Secretary of State to the Commissioner at Helsingfors (Haynes)

WASHINGTON, *January 13, 1920—5 p.m.*

Your 519, January 10, 9 p.m. First four conditions accepted. With respect to the fifth, it is felt that transfer of aliens across front should not be made the subject of negotiation but that word should be sent to the Bolsheviki through the Esthonians that on a certain day these people will be permitted to pass through the Finnish lines and that it is presumed there will be no firing from the Bolshevik side but that on the contrary their crossing will be facilitated.

You are authorized to request Gade or the American Consul at Reval to take the matter up in this sense with the Esthonian authorities in conjunction with the Finnish representative there.

With respect to the sixth condition, it is presumed that Berkshire can furnish the desired list. If not it will be sent from Washington at once.

The Department regrets to be unable to comply with the request of the Finnish Government to retain ten Bolsheviki as hostages. The terms of the law under which these aliens are deported make it necessary to send them to the country of their origin. There is no authority for delivering them into the hands of a third country except for the purpose of immediate transit to the country of their origin whence they came.

LANSING

311.6124/24 : Telegram

The Commissioner at Helsingfors (Haynes) to the Secretary of State

[Extract]

HELSINGFORS, *January 16, 1920—2 p.m.*

[Received 5 : 52 p.m.]

523. *Buford* reported to arrive this Friday evening at 6 oclock. Border will be crossed Sunday or Monday. Finnish Government using its own name and assuming all responsibility in telling Esthonians simply to inform Bolsheviki some people will cross the Russian

Finnish border on this date and that instead of any firing by the Bolsheviki it is presumed every facility will be given these people to cross.

. . . . . .

HAYNES

311.6124/28 : Telegram

The Commissioner at Helsingfors (Haynes) to the Secretary of State

HELSINGFORS, *January 20, 1920—11 a.m.*
[Received January 20—9 : 18 a.m.]

527. Deported crossed and welcomed into Russia January 19th, 4 p.m.

HAYNES

311.6124/56a : Telegram

The Secretary of State to the Commissioner at Riga (Young)

WASHINGTON, *May 26, 1920—2 p.m.*

Department of Labor desires to ship more deportees to Russia and inquires possibility of landing vessel at Reval. Make no inquiries of Esthonians but telegraph whether such deportees could proceed freely and safely into Soviet Russia without previous arrangement with the Soviet authorities.

COLBY

311.6124/56 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *May 28, 1920—6 p.m.*
[Received 6 : 47 p.m.]

17. Department's May 26, 2 p.m. In absence of any previous arrangements deportees not likely to be permitted land in Esthonia and doubtful whether permission could be obtained in view of strong Bolshevik influence now in Esthonia which would regard favorable action in the matter by Esthonian Government as assisting us in our efforts against Bolshevism. If permission to land accorded, rail journey Reval to frontier would probably be made without trouble or untoward incident but admission to Soviet Russia dependent on decision Moscow.

YOUNG

311.6124/56 : Telegram

The Secretary of State to the Commissioner at Riga (Young)

WASHINGTON, *June 7, 1920—1 p.m.*

Your 17, May 28, 2 [6] p.m. and Department's May 26, 2 p.m. You may discreetly approach Esthonian authorities and state to them that United States Government desires to deport to Soviet Russia in one or more parties, about 500 natives of Russia, some of whom will be accompanied by families, traveling at deportees' expense. Majority these persons undesirable in the United States because of their membership in the Communist Party of America, an organization advocating the principles of the Third International. All have had a fair trial. None of them either charged or deported as anarchists. Most of them possess savings and are, in fact, anxious to return to Russia.

Will Esthonian authorities permit landing at Reval, furnish transit accommodations to border at this Government's expense and obtain permission for deportees to enter Soviet Russia? If Esthonians desire that party proceed under guard, expenses thereof will also be met.

Similar party sent last year through Finland and admitted to Soviet Russia although containing many avowed anarchists.

An early reply is requested.

COLBY

311.6124/63 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *June 21, 1920—2 p.m.*
[Received 5:41 p.m.]

42. Department's June 7, 1 p.m. Reply just received from Esthonian authorities states that as the Government has been repeatedly reproached for forcible deportations into Soviet Russia it requests assurances that deportation "is not effected against the will of all persons concerned."

YOUNG

311.6124/63 : Telegram

The Acting Secretary of State to the Commissioner at Riga (Young)

WASHINGTON, *June 28, 1920—8 p.m.*

Your 42, June 21, 2 p.m.

Proposed deportees have all been given fair trial and, after due process of law in which at their request they have been permitted to

have counsel and witnesses, were adjudged subject to deportation under American law. Inform Esthonian authorities that Department of Labor is informed considerable number of these aliens of their own free will have expressed desire to be returned to Soviet Russia and are now clamoring for that privilege. However, as they are being deported under accepted principles of international law and in accordance with our own laws, this Government, while it would appreciate cooperation of Esthonian authorities, cannot consent to condition quoted in your 42.

Report promptly result of above representations.

DAVIS

311.6124/68 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *July 6, 1920—5 p.m.*
[Received July 8—12:55 a.m.]

59. Department's June 28, 8 p.m. Esthonian authorities had prior to resignation Cabinet verbally agreed to all our requests and had unofficially sounded Gukovsky [77] who stated he felt certain that all true Communists, Socialists among deportees would be admitted but criminals like some of those deported by the United States through Finland would be denied admission and that Soviet Government might require approval of Martens.[78]

YOUNG

311.6124/68 : Telegram

The Secretary of State to the Commissioner at Riga (Young)

WASHINGTON, *August 5, 1920—7 p.m.*

27. Referring to use of word "criminal" in your 59, July 6, 5 p.m.

Department of Labor advises that in none of the deportation provisions of the immigration law is it permitted to use the word "criminal"; that the law specifically provides that the deportation proceeding is purely administrative and the courts have so held; and that aliens being deported to Soviet Russia are not criminals in the ordinary, or in any, acceptation of the term, but are merely alien deportees being sent from the United States because they are here

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[77] I. E. Gukovsky, chief plenipotentiary of the Soviet delegations in Reval.
[78] See pp. 455 ff.

in violation of law, determination of which has been adjudged after a hearing at which the individual was present and could testify, represented by counsel of his choice, and permitted to produce witnesses and documentary evidence.

COLBY

311.6124/74 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *August 7, 1920—7 a.m.*
[Received 11:21 a.m.]

96. Esthonian Minister of Foreign Affairs informs me that despite repeated requests no reply has been received from Moscow regarding deportees.

YOUNG

311.6124/76 : Telegram

The Commissioner at Riga (Young) to the Secretary of State

RIGA, *September 7, 1920—11 a.m.*
[Received 10:51 p.m.]

137. Deportations. Esthonian Minister for Foreign Affairs informs me Soviet Russia agrees to admit 500 deportees provided they are visaed by Martens. It also desires that permission be granted for departure to Russia of 50 non-Russian citizens now in United States names to be furnished later. The Soviet Government willing to release Mrs. Kennedy [79] and permit her departure from Russia if United States will release Larkin [80] and guarantee that he will not be "pursued further" and not delivered to British authorities. Soviet Government willing to admit Larkin if he desires to return Russia.

Assume foregoing is entirely unacceptable to our Government but will wait your telegraphic instructions before communicating with Esthonian Minister of Foreign Affairs.[81]

YOUNG

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[79] See telegram no. 258, June 25, 5 p. m., to the Minister in Switzerland, p. 674.
[80] James J. Larkin, convicted of criminal anarchy in the New York Supreme Court, Apr. 27, 1920.
[81] Apparently the Department sent no instructions in reply to this telegram.

RESUMPTION OF TRADE WITH SOVIET RUSSIA

Proposal by the Allied Governments to Reopen Trade through the Russian Cooperative Societies—Negotiations in London—Removal of American Restrictions on Communication with Soviet Russia, July 7, 1920—Removal of American Restrictions on Credit and Exchange Transactions with Soviet Russia, December 20—Instructions by the United States Treasury to the Mints and Assay Offices to Reject Gold Bearing Evidence of Soviet Origin

661.0031/orig. : Telegram

The Ambassador in France (Wallace) to the Secretary of State

PARIS [*undated*].
[Received January 16, 1920—8:30 p.m.]

For Emery:[82]

Please release immediately to press following official *communiqué* of Supreme Council January 16th:

"With a view to remedying the unhappy situation of the population of the interior of Russia, which is now deprived of all manufactured products from outside Russia, the Supreme Council, after having taken note of the report of a committee appointed to consider the reopening of certain trading relations with the Russian people, has decided that it would permit the exchange of goods on the basis of reciprocity between the Russian people [and] Allied and neutral countries. For this purpose it decided to give facilities to the Russian cooperative organizations which are in direct touch with the peasantry throughout Russia so that they may arrange for the import into Russia of clothing, medicines, agricultural machinery and the other necessaries of which the Russian people are in sore need in exchange for grain, flax, etc., of which Russia has surplus supplies. These arrangements imply no change in the policy of the Allied Governments towards the Soviet Government."]

WALLACE

861.01/186a : Telegram

The Secretary of State to the Ambassador in Great Britain (Davis)

[Paraphrase]

WASHINGTON, *February 2, 1920—11 a.m.*

95. Supplementing our telegram no. 82, repeated to you from Paris.[83] Press statements repeat that Mr. Lloyd George is considering introducing a discussion of the situation in Russia at the next Premiers' meeting which is to take place early in February at London. The possibility is indicated by these reports that a proposal will be made for the recognition of the Soviet Government or

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[82] Frederick A. Emery, of the Division of Foreign Intelligence, Department of State.

[83] Not printed.

that some move be made which will imply recognition eventually or lead to a closer understanding with the Government of Soviet Russia.

Do not commit the United States to any policy, but call the attention of Mr. Lloyd George to the fact that such reports are current in this country and try to find out whether or not any such proposals are being contemplated by him. The fact that any Allied action regarding Russia is of the greatest concern to the United States might be stressed by you and also that it would be of the greatest help to this Government if information could be received in advance regarding proposals which will be made the basis of discussions by the Premiers. . . .

LANSING

861.01/189 : Telegram

The Ambassador in Great Britain (Davis) to the Secretary of State

[Paraphrase]

LONDON, *February 7[6], 1920—10 p.m.*
[Received February 7—3 : 02 a.m.]

207. Department's telegram no. 95. Today I discussed this question with Lloyd George who assured me that for the present there is no intention of recognizing the Government of Soviet Russia. The Prime Minister desires peace in Russia and thinks that the régime of the Bolsheviki is changing color and has given up the use of terror. He believes that a stable régime will be brought about by opening the country up to trade. He does not credit the possibility of the Bolsheviki engaging in militaristic designs when fighting ceases on their frontiers. He frankly believes peace should be made without delay, giving a confirmation of the conversation which I reported in telegram no. 155.[84]

O'Grady [85] and Litvinov are still negotiating at Copenhagen regarding [garbled group] trade. Various objections are made by Litvinov to dealing with the cooperatives. He objects that it would create a monopoly; that agents of the cooperatives who are now abroad have had relations with Denikin, Yudenitch, Kolchak, and company, and have ceased to be representative of their fellows within Russia; and that the cooperatives only deal in goods commonly used, whereas there is immediate need in Russia of motor trucks, locomotives, and machinery to start her factories and reorganize her

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[84] *Ante*, p. 376.
[85] James O'Grady, British representative in negotiations with Russia.

trade. Russia is willing to make gold payments for all of this. Litvinov also states that the Government of Soviet Russia cannot give assistance to trade until it can have peace in place of war and is given a guarantee that she will not be invaded. He insists that pressure should be used to induce the border states and Poland to immediately make peace. The reply of the British is that they do not at all object to opening private trade in the goods named and other articles if the Russians are in reality private traders and are not agents of an official character who will make use of the opportunity to carry on propaganda against the Governments of other nations. The actions of Litvinov himself while in England are cited in this connection. Lloyd George positively states that he does not know what are the guarantees to which Litvinov alludes. Lloyd George insists he will give no guarantees. He believes the attitude of the United States with regard to Soviet Russia at the present time is exactly the same as that of Great Britain a year ago before £100,000,000 had been spent in vain.

DAVIS

661.1115/22a : Telegram

The Acting Secretary of State to the Ambassador in France (Wallace)[86]

[Paraphrase]

WASHINGTON, *March 6, 1920—11 p.m.*

483. The American Government has considered carefully the Supreme Council's communication of January 20, 1920,[87] regarding a plan for resuming trade with Russia using the cooperatives as a medium and also to the general problem of the possibility of trading with Russia by whatever means.

The American Government is keenly conscious of the necessity that general economic conditions be improved, if possible, by commerce with Russia and is ready to take any measures which are practical looking toward hastening the reopening of trade.

The Soviet Government has now gained control of the greater part of Russia and a natural prelude to the reopening of trade with the regions under Soviet control would be the establishment of relations

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[86] The same to the Ambassador in Great Britain (no. 232). By a later telegram (no. 245, Mar. 9), the Ambassador in Great Britain was instructed to present a paraphrase of telegram no. 483 to the British Foreign Office. By telegram no. 495, Mar. 9, like instructions were sent to the Ambassador in France, together with instructions to repeat to the Ambassador in Italy for similar action.

[87] See undated telegram from the Ambassador in France, p. 701.

with the Soviet Government. The American Government, however, has not received substantial evidence that the good faith of the Soviet régime has been sufficiently established or its character been so altered, after past difficulties experienced in dealing with it, as to justify an effort to renew even the informal relations that were in being until August 1918. The American Government does not feel that the public interest permits that representatives of the Soviet Government be received by the United States in American territory.

On the other hand, the American Government feels that it is no longer warranted in continuing the existing trade restrictions, which originally were invoked purely as a war measure, nor in preventing longer such commerce as private enterprise may be able to effect with persons anywhere in Russia.

For this reason the American Government intends soon to remove the restrictions which it has imposed hitherto. Before doing so, however, it wishes to learn the views of the Allied Governments and to offer the suggestion that it is to be desired, if the Allied Governments concur, that they take common action at an early date to be determined by mutual agreement. This Government proposes March 20.

In case the suggested measures are adopted, the American Government believes that it would be well if each of the Allied and Associated Governments would inform its nationals, when the trade restrictions are removed, regarding the uncertainties of conditions in Russia and the limited degree of protection which the home Government will probably be able to give to those engaged in trade with those regions of Russia which the Bolsheviki control.

The American Government wishes to inquire whether the Allied Governments, in the course of their discussions in regard to resuming trade with Russia, have given consideration to measures which may be adopted to prevent securities or other valuables, which the Bolsheviki may obtain through illegal means, from being dispersed abroad as a result of trade resumption.

POLK

861.1115/30 : Telegram

The Acting Secretary of State to the Chargé in Great Britain (Wright)

[Paraphrase]

WASHINGTON, *March 22, 1920—6 p.m.*

300. Our proposed warning to Americans regarding Rumanian valuables and gold obtained by the Bolsheviki illegally is apparently

somewhat misunderstood. Our plan was to merely issue such a warning as a matter of information. As a practical measure the Department fails to see how it would be possible to trace the securities or gold. It did not have any such procedure in mind.

At the earliest moment possible please ask the Foreign Office whether they intend to make the return of Rumanian securities and gold illegally obtained a condition precedent to any dealings with the Russian cooperatives or whether they intend to take measures for the prevention of the use of such securities and gold. In the latter case, what measures do they have under consideration?

POLK

661.1115/33 : Telegram

The Chargé in Great Britain (Wright) to the Secretary of State

[Paraphrase]

LONDON, *March 23, 1920—1 p.m.*
[Received 5:20 p.m.]

493. Department's no. 232, March 6,[89] and our no. 477, March 19.[90] Foreign Office reply received last night, dated March 20. It acknowledges our memorandum and expresses gratification that the United States takes much the same view as does the British Government in regard to the necessity of a resumption of trade with Russia. The prospect of proposed common course is welcomed and following observations are offered.

The British Government, for reasons already announced, has at present no intention of establishing diplomatic or political relations with the Bolshevik Government. On this point they substantially agree with us. The delegation sent by the cooperatives to London is only intended to make arrangements as to the method of exchanging such commodities as metals, flax, and corn for goods which are vitally essential, agricultural tools, etc. We shall be kept informed regarding these negotiations.

Our view that the continuance of present trade restrictions and the prevention of exchange of commodities by private enterprise has no further warrant is shared by the British Government. Until now restrictions have been imposed upon such private trade but except for munitions the blockade of the Baltic, North Russia, and the Pacific has been raised recently. With the exception mentioned, the British Government is ready to lift the embargo on private trade, at the risk, however, of persons engaging in it. Their protection can be guaranteed in no way.

[89] See footnote 86, p. 703.
[90] Not printed.

The beginning of the new policy at such an early date as that suggested by the Department has not been possible, for the delegation sent by the cooperatives is only now due in this country and also some time will be necessary to determine the extent to which general commercial restrictions may be removed. The protection of those engaged in trade is a matter which must be carefully examined during the discussions.

The Foreign Office expressed some doubt, as reported previously, as to the meaning of the last part of our memorandum, that relating to the dispersion of securities which have been obtained illegally. The Foreign Office asks, therefore, for further information regarding this and expressed its willingness to bring this point up if necessary at the approaching negotiations.

I am mailing the full text,[91] but elaboration of the views of the Department will assist materially here in the informal discussions.

WRIGHT

661.1115/33 : Telegram

The Secretary of State to the Chargé in Great Britain (Wright)

[Paraphrase]

WASHINGTON, *March 24, 1920—5 p.m.*

306. Your no. 493, March 23, 1 p.m. The American Government considers it extraordinary that it should be considered by the Soviet authorities necessary to send to London a member of such importance in its Government as Krassin[92] if, as is stated in the British note of March 20, the delegation sent by the cooperatives to London is only intended to make arrangements as to the method of exchanging such commodities, etc.

It is the conclusion of the Department that at present Soviet Russia has no raw materials available for export. This conclusion is based on information derived from various sources. I shall be glad to be kept informed as to the course of these negotiations.

It is not clear from your telegram whether the restrictions upon private trading with Soviet Russia have been abolished. You state in one place that except for munitions the blockade of the Baltic, North Russia, and the Pacific has been raised. You state in another place that with the exception mentioned, the British Government is ready to lift the embargo on private trade.

Our information is to the effect that British traders are making contracts already or at least laying the foundations for trading with Soviet Russia.

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[91] Not printed.

[92] L. B. Krassin was the Soviet Commissar for Trade and Industry.

If the British Government has already removed restrictions on private trade we would like to know why this information has not been given to the Department.

The meaning of the Department's memorandum regarding the dispersion of Rumanian gold, etc., has been fully explained to you in Department's no. 300, March 22, 6 p.m.

COLBY

661.1115/36 : Telegram

The Chargé in Great Britain (Wright) to the Secretary of State

[Paraphrase]

LONDON, *March 27, 1920—10 a.m.*

[Received March 28—1 : 13 p.m.]

514. Department's no. 306, March 24. Krassin is believed to have been selected for the reason that he is best equipped to gain the greatest commercial concessions. The British Government is believed to have accepted him because he is not thought to be a Communist at heart.

Without regard to the statement by the Foreign Office, announcement has been made in Parliament by the Minister of Food that this year Russia will export but little grain. The Department, however, knows of course of the various surmises regarding the actual condition of Russia's transportation facilities.

The phrases to which the third paragraph of your telegram refers are almost in the wording of the text received from the Foreign Office. Trade in war munitions is the exception referred to and with that exception the British Government is ready to lift the embargo on private trade. Inquiry was again made at the Foreign Office today on this specific point. In reply it was reasserted that to date restrictions on private trade have not been removed but that upon conditions mentioned the Government is prepared to do so. Although the lifting of private trade restrictions will depend largely upon the coming negotiations, it is proposed by the Foreign Office to take up the question formally with the Prime Minister. I shall be informed of the results.

Although the Department of Overseas Trade is without doubt making efforts to interest individual British merchants, it may fairly be believed that they are extremely cautious with regard to trading with Russia.

As to the Department's no. 300, March 22, apparently the Foreign Office had not considered recently the problem of securing restoration to the Rumanian treasury. Today or tomorrow the delegates

of the cooperatives are due to arrive at Copenhagen. They will probably stay there a week and arrive in London about April 5. Negotiations will probably begin the latter part of the week they arrive. I have been promised an early answer to my inquiry regarding the measures considered in this matter, pending which reply the question will be kept under consideration in discussions with the Russian delegates.

WRIGHT

661.1115/42a : Telegram

The Secretary of State to the Ambassador in France (Wallace)[93]

[Paraphrase]

WASHINGTON, *April 2, 1920— 4 p.m.*

669. Our telegram no. 483 of March 6. It is the view of the Department that it is not desirable to delay longer putting into effect its suggestion that restrictions on trade with Soviet Russia be removed. It proposes to do so soon and suggests April 10 as the date. Foreign Office should be informally advised.

Any objections to this plan which may occur to the Government of France will gladly be considered by this Government.

COLBY

661.1115/38

The Chargé in Great Britain (Wright) to the Secretary of State

[Paraphrase]

LONDON, *April 2, 1920—6 p.m.*

[Received April 2—4 p.m.]

550. My no. 514, March 27. From a source in the Foreign Office I have learned informally that in theory a committee representing the Supreme Economic Council will conduct the trade negotiations here with the representatives of the Russian cooperatives but that in fact British officials will conduct these negotiations with the Russians. The method by which the blockade should be lifted has been a matter of inter-Allied concern since the decision on January 20 by the Supreme Council. Owing, however, to the indifference of the French and Italian representatives, this has become now primarily a British affair. Probably the conversations will be conducted by Foreign Office representatives, especially from the Overseas Trade Department.

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[93] The same, *mutatis mutandis*, to the Ambassador in Great Britain (no. 341).

Arrangements will be made next week in Copenhagen for the journey of the representatives of the cooperatives to England. Mr. E. F. Wise, who represents Great Britain on the Supreme Economic Council, will leave tomorrow or Monday for Denmark for this purpose. O'Malley, a senior clerk of the Foreign Office's Russian Department, will probably accompany him. I gather that only trade negotiations are to be expected for the present. Curzon and Hardinge [94] still oppose parleying with the Bolsheviki although the higher officials in the Russian Department apparently favor such a course.

WRIGHT

661.1115/49 : Telegram

The Ambassador in France (Wallace) to the Secretary of State

PARIS, *April 9, 1920—5 p.m.*
[Received 6 : 17 p.m.]

942. Mission. Following is translation of note received from Foreign Office this noon.

"Mr. Ambassador. You were good enough during your visit of yesterday to inform me that your Government has decided to remove on April 10 all restrictions imposed on commerce with Russia, but that it is wished beforehand to be informed of any objections which the French Government might wish to make.

I have the honor to refer to the note of April 5 [95] in which my Department indicated that its views coincided with those set forth in the memorandum from your Embassy dated March 11.[96] In that note my Department declared that it was in agreement as to the advantage to the Allied and Associated Powers of reaching an agreement as to the general conditions under which resumption of traffic with Russia could take place. The British Government has justly pointed out in this respect that it would be difficult to agree upon these conditions before being informed of the proposals which the Russian delegation presided over by M. Krassine had to make.

However the immediate removal of all restrictions whatsoever on commercial transactions with Russia seems to me now to give rise to very serious objection.

The first was set forth by your Government which in the memorandum above mentioned pointed out the advisability of taking measures to prevent the Bolsheviks dispersing abroad the securities which they may have acquired unlawfully.

Moreover the destruction of means of transportation and the general ruin of the country do not admit of the belief that Russia is

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[94] Baron Hardinge, British Undersecretary of State for Foreign Affairs.
[95] Not printed.
[96] See telegram no. 483, Mar. 6, to the Ambassador in France, p. 703.

capable of exporting much merchandise. Its immense needs on the contrary will be a drain upon the resources of the world which today are too reduced in such measure as to increase the present economic distress. In default of any other alternative Russia will be tempted to solve the question by alienating or encumbering parts of its public domain in the shape of concessions on monopolies or in some other form. But it is to be noted that this public domain constitutes the common pledge of the creditors of the Russian state and especially all foreign subjects who subscribed to pre-war loans but whose properties and industrial and commercial enterprises have been looted, confiscated or nationalized, without indemnity.

Under these conditions I feel that before removing restrictions on commerce with Russia, the Allied and Associated Governments would find to their interest to come to an agreement with a view to insuring the protection of this common pledge whose destruction they cannot allow. It would be expedient also that they should agree upon declaring that they deny to the Soviet Government all right of alienating the property constituting the former Russia and representing in that capacity guarantees for the execution of its international agreements.

So long as the Russian Government shall not have fulfilled its former obligations it would be an absolute paradox on our part to ask it to contract new ones which would have no more value than the former ones which they are liable to annul.

Moreover I intend very shortly to submit to the Allied and Associated Powers a proposal with respect to the measures which the Russian Government should adopt so as to insure the fulfillment of the obligations which the former regime bequeathed to it. It is absolutely essential that these obligations should be explicitly recognized by those who to-day hold power in Russia; any arrangement not based on the condition precedent of such recognition would be to our eyes bereft of all authority from the point of view of international law.

I am persuaded that these considerations will appear to the Government of the United States to be in conformity with the principles of equity which it has always upheld and I would be grateful if you would be good enough to let me know if it is disposed together with the Associated Governments to examine measures which it is expedient to take before conferring complete freedom upon commercial transactions with Russia. Accept et cetera." Signed Millerand.

WALLACE

661.1115/64 : Telegram

The Ambassador in Great Britain (Davis) to the Secretary of State

LONDON, *May 3, 1920—5 p.m.*
[Received 5:02 p.m.]

720. Your 341, April 2, 6 [4] p.m.[97] Have just received a note from Foreign Office dated April 29th, full text of which follows.

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[97] See footnote 93, p. 708.

"I very much regret the delay in replying to your note to Lord Curzon of April 6th in which you were so good as to inform me that in the opinion of the United States Government it was inadvisable to delay any further the removal of all restrictions of trade with Soviet Russia.

You will no doubt remember from Lord Curzon's note to you of the 20th ultimo [98] that we were awaiting the cooperative delegation, under Monsieur Krassin, whose arrival was expected at any moment, in order to discuss with them the whole question of the resumption of commercial relations so that it seemed better to wait until we could tell you something more definite. It will probably be as an outcome of these discussions that decisions will be taken by the French, Italian and our own Governments with regard to the removal of restrictions on private trading and I cannot therefore help feeling that premature action by the United States Government may embarrass these discussions and prejudice the attainment of the general objects which both our Governments have in view."

DAVIS

661.4116/28 : Telegram

The Consul General at London (Skinner) to the Secretary of State

LONDON, *May 17, 1920—3 p.m.*
[Received 3:20 p.m.]

Three Russian delegates arrived Sunday night to negotiate with British Government for reopening trade with Russia.

SKINNER

611.6131/187 : Telegram

The Ambassador in Great Britain (Davis) to the Secretary of State

LONDON, *May 19, 1920—8 p.m.*
[Received May 19—5:42 p.m.]

824. My 791, May 14, 6 p.m.[99] I have received an intimation in an entirely unofficial manner that in order to keep our Government informed of developments an invitation may be extended for an American representative to be present at all meetings of the Permanent Committee of the Supreme Economic Council at which the question of Russian trade is discussed. I should welcome an early expression of the Department's desires should such invitation be received.

DAVIS

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[98] See telegram no. 493, Mar. 23, from the Chargé in Great Britain, p. 705.
[99] Not printed.

611.6131/187 : Telegram

The Secretary of State to the Ambassador in Great Britain (Davis)

WASHINGTON, *May 21, 1920—4 p.m.*

530. Your 824, May 19, 8 p.m. Should you receive invitation to have American representative sit in meetings of permanent committee of the Supreme Economic Council during discussions of Russian trade, you may designate Consul General Skinner as observer, but not otherwise a participant in the discussions.

COLBY

661.1115/69 : Telegram

The Ambassador in Great Britain (Davis) to the Secretary of State

LONDON, *May 26, 1920—3 p.m.*

[Received May 26—1:40 p.m.]

848. My 514, March 27, noon [*10 a.m.*], and previous correspondence. Foreign Office now replies to memorandum of March 27th and states that British Government cannot at present see its way to propose legislation or to initiate other steps to provide that there should be returned to the rightful owners, before trade is resumed between Great Britain and Russia, such gold or securities as the Government of the Soviet may have illegally acquired. Persons claiming to be rightful owners will, however, be enabled to institute such legal action as is possible for the protection of their property.

DAVIS

661.4116/33 : Telegram

The Ambassador in Great Britain (Davis) to the Secretary of State

LONDON, *May 28, 1920—6 p.m.*

[Received May 28—3:56 p.m.]

864. I learn that Krassin who arrived in London last night will connect this afternoon with the Permanent Committee of the Supreme Economic Council accompanied by the other members of the Russian trade delegation. Arrangements are being made for Prime Minister to interview him in spite of the considerable opposition still existing against any proposal to resume political relations with the Soviet Government.

DAVIS

661.4116/44 : Telegram

The Ambassador in Great Britain (Davis) to the Secretary of State

[Extract]

LONDON, *June 8, 1920—7 p.m.*
[Received June 8—5 : 28 p.m.]

909. My 905.[1] One. I now learn officially but informally from the Foreign Office that there has been no resumption of trade with Soviet Russia and that shipments of commodities from this country to Russian destination are legally forbidden. Customs authorities have instructions prevent exportation of any consignments of this character unless export licenses accompany them which latter Board of Trade has consistently refused. . . .

. . . . . .

DAVIS

661.1115/82a : Telegram

The Secretary of State to the Ambassador in Great Britain (Davis)

[Paraphrase]

WASHINGTON, *June 19, 1920—2 p.m.*

654. Newspapers publish London despatch saying that statement was made in the Commons by Lloyd George that the American Government had been kept informed regarding the progress of the negotiations which Lloyd George held with Soviet representatives and that an expert had been named by the American Government to participate in the economic discussions. Lloyd George is also reported as having stated that our Ambassador to Italy was present at San Remo when it was decided to enter into trade relations with Soviet Russia and that he made no protest.[2]

The Department wishes a telegraphic report giving the true version of the statements made on these points by Lloyd George. Meanwhile give instructions to Consul General Skinner not to attend any meeting with Soviet delegates and inform him that his earlier instructions to observe but not to take part in the conferences are countermanded for the time being.

COLBY

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[1] Not printed.

[2] For papers concerning U. S. representation at San Remo conference, see vol. I, pp. 1 ff.

661.1115/83 : Telegram

The Ambassador in Great Britain (Davis) to the Secretary of State

LONDON, *June 21, 1920—7 p.m.*
[Received June 22—2:15 p.m.[2]]

972. Your 654, June 19, 2 p.m. Prime Minister replied as follows on the 17th instant to a question in the House as to whether the United States Government had expressed any opinion as to negotiations now proceeding between Prime Minister and Mr. Krassin and whether the United States Government were consulted before the decision to open negotiations and to recognize the Soviet Government were definitely arrived at:

"The American Ambassador in Italy was present at the San Remo Conference where the decision of the Allied Powers to enter into commercial relations with Russia was taken and was no doubt reported by him to his Government. We have received no protest against the decision then taken from the American Government. The American Government have been kept informed of the progress of events in case they should at any time express a desire to join in the conversations. They have already nominated an expert to take part in the economic discussions. I may add that Japan and Belgium have intimated their intention to take part in the conversation with M. Krassin."

Prime Minister's statement that American Government had been kept informed of progress of events probably had (in view?) various informal conversations which I have had in person with him and Lord Curzon at various times as well as to conversations between other members of the Embassy and Foreign Office during the course of which certain information was obtained regarding [apparent omission] which had been held by the Prime Minister with Krassin. No continued or spontaneous effort has however been made either by Prime Minister or by Foreign Office to furnish me with any details concerning the progress of negotiations, although the Embassy has been supplied informally by the secretariat of Permanent Committee of Supreme Economic Council with the minutes of their proceedings which have been transmitted to the Department in the usual manner. Statement as to nomination of expert for economic discussion based no doubt on our intention communicated to Foreign Office and Supreme Economic Council to designate Skinner as observer if requested. In communicating this intention, however, I was careful to state that he was not otherwise to participate.

I have instructed consul general in accordance with your 654.

DAVIS

[2] Telegram in two sections.

661.1115/85a : Telegram

The Acting Secretary of State to the Ambassador in Great Britain (Davis) [3]

[Paraphrase]

WASHINGTON, *June 24, 1920—8 p.m.*

671. A decision has been reached by the President that restrictions now existing on trade with Russia shall soon be removed. Probably an exception will be made of war materials, perhaps including railway equipment for the present. This afternoon I informally communicated this decision to the British, French, Italian, and Japanese Ambassadors, requesting that they advise their respective Governments.

Please advise the Government to which you are accredited of this decision. At the same time explain clearly that this action must not be interpreted as a recognition of any existing Russian faction or of the Soviet régime. The American Government is unable to recognize as valid concessions granted by any of the present Russian factions. This Government proposes to have it clearly understood that individuals in the United States who desire to trade with Russia will engage in such trade on their own responsibility and at their own risk, for the Government cannot give protection without giving recognition to one or more of the present Russian factions, and that we have determined we will not do.

Although the United States recognizes, of course, that the British Government naturally desires to protect its Near Eastern interests and to conclude if possible effective political arrangements with those elements which at present control Russia, the American Government fails to see how such arrangements can be entered into without involving at least a constructive political recognition. When the American Government last March suggested that common action should be planned for dealing with the problem of trading with Russia, such a course was not what it had in mind. As it is evident that it has become impractical to trade through the cooperatives, the American Government believes that the only course open now is that which it contemplates in removing trade restrictions.

It is planned to issue a public notice along these lines soon. As soon as a date has been fixed for such a notice you will be advised.

You are confidentially informed that the American Government feels that there can be no constructive result from the present negotiations with the Russian agents and also that this Government is fundamentally opposed to any attempt by the Supreme Economic

[3] See last paragraph regarding repetition of telegram to Tokyo and for instructions to repeat to Paris, Rome, and Warsaw.

Council or any other body to control or to ration any country's exports.

Repeat this telegram to the Ambassador in France as our no. 1167 and to the Ambassador in Italy as our no. 118 for similar action. Repeat to the Minister in Poland as our no. 284 only for confidential information. This telegram repeated to the Chargé in Japan by the Department.

DAVIS

661.1115/85 : Telegram

The Consul General at London (Skinner) to the Secretary of State

LONDON, *June 25, 1920—9 a.m.*
[Received June 25—7:25 a.m.]

Invited to attend meeting of the Permanent Committee of Supreme Economic Council at 11 o'clock tomorrow morning, Saturday.

Krassin and other Russian delegates will be present. Unless I am instructed to the contrary immediately I shall advise Committee that I cannot be present. Embassy informed.

SKINNER

661.1115/85 : Telegram

The Acting Secretary of State to the Consul General at London (Skinner)

WASHINGTON, *June 25, 1920—2 p.m.*

Your June 25, 9 a.m. Do not attend.

DAVIS

661.1115/91 : Telegram

The Ambassador in Great Britain (Davis) to the Secretary of State

LONDON, *July 1, 1920—5 p.m.*
[Received July 1—1:07 p.m.]

1011. My 1007, June 30, 6 p.m.[5] Krassin returns to Moscow today.

It seems as though present trade negotiations would probably be unsuccessful.

DAVIS

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[5] Not printed.

661.1115/96a : Telegram

The Acting Secretary of State to the Ambassador in France (Wallace)

WASHINGTON, *July 7, 1920.*

1215. Harrison[6] from Emery. State Department made following announcement today:[7]

"Restrictions which have heretofore stood in way of trade and communication with Soviet Russia were today removed by action of State Department. Such of these restrictions however as pertain to shipment of materials susceptible of immediate use for war purposes will for present at least be maintained. Political recognition present or future of any Russian authority exercising or claiming to exercise governmental functions is neither granted nor implied by this action. It should be emphasized moreover that individuals or corporations availing themselves of present opportunity to trade with Russia will do so on their own responsibility and at their own risk. The assistance which the United States can normally extend to its citizens who engage in trade or travel in some foreign country whose government is recognized by United States cannot be looked for in present case since there is no official or representative Russian authority with which this Government can maintain those relations usually subsisting between nations.

"Action which United States is now taking in nowise constitutes a recognition of validity of industrial or commercial concessions granted by any existing Russian authority. American citizens availing themselves of the present relaxation of restrictions are warned against the risks incident to acceptance of commodities or other values, the title to which may later be brought into question.

"Situation which at present prevails relative to travel from or to Russia will be unaffected by removal of trade restrictions. Passports for Russia cannot be issued nor will any change be made in visa regulations now in force. Since it is not desirable at this time to undertake negotiations with Soviet postal authorities, Postoffice Department will be unable to accept mail from or to Soviet Russia. There has never been any parcel post convention between the United States and Russia and this mode of forwarding goods is therefore unavailable."

Please repeat foregoing to London.

DAVIS

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[6] Mr. Leland Harrison, Counselor of the Embassy in France.
[7] For publication in the morning newspapers, July 8.

661.1115/101 : Telegram

The Minister in Denmark (Grew) to the Secretary of State

[Extracts]

COPENHAGEN, *July 12, 1920—4 p.m.*
[Received 7:26 p.m.]

15. Referring to the Department's telegram of 7th[8] regarding removal of trade restrictions with Soviet Russia. Is railway equipment regarded as war material?

. . . . . .

Would be glad to have such information as Department can give me regarding its attitude toward the eventual use of that Copenhagen clearing house by American concerns. See my 6, May [*June?*] 19, 2 p.m.[9]

GREW

661.1115/101 : Telegram

The Secretary of State to the Minister in Denmark (Grew)

WASHINGTON, *July 17, 1920—4 p.m.*

69. Your 15, July 12, 4 p.m.

Railway equipment is regarded as war material during duration of Bolshevik hostilities. As all Americans will trade with Soviet Russia at their own risk they must use Clearing House entirely at their own responsibility.

COLBY

661.119/541a

The Secretary of State to All Diplomatic and Consular Officers

WASHINGTON, *July 27, 1920.*

GENTLEMEN: There is enclosed herewith for your information and careful study an announcement made by the Department of State on July 7, 1920, concerning the removal of restrictions on trade and communication with Soviet Russia.[10]

Recognition of the faction in control at Moscow has never been contemplated. In its announcement the Department has endeavored to forestall any possible misconstruction of its action or any false inferences that might be drawn therefrom.

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[8] Telegram no. 1215, July 7, to the Ambassador in France, *supra*, was repeated to the Minister in Denmark.

[9] Not printed.

[10] See telegram no. 1215, July 7, to the Ambassador in France, p. 717.

You will, therefore, take no action which, officially or unofficially, directly or indirectly, assists or facilitates commercial or other dealings between American citizens, whether domiciled in the United States or in foreign parts, and any persons, interests or institutions domiciled within that part of Russia now under the control of the so-called Bolshevist authorities, or which may in any way forward the interests of those authorities.

Should it seem desirable you may bring the contents of the foregoing to the attention of any officials of the government to which you are accredited, or that of the local authorities in your district.

If the situation of your office is such that you can watch shipments to and from Soviet Russia, whether in transit to or from the United States or not, you will do so and report frequently by mail to the Department, particular reference to the kinds of merchandise sent and received, the routes and means of transportation, the methods of payment, the general attitude prevailing among the business men of your district towards this trade and toward the persons engaged therein and the names of the merchants so trading.

The five War Trade Board Rulings in question are enclosed herewith.[11]

I am [etc.]

For the Secretary of State:
VAN S. MERLE SMITH

661.1115/162

The Secretary of State to the Secretary of War (Baker)[12]

WASHINGTON, *July 27, 1920.*

SIR: I have the honor to acknowledge the receipt of the letter, dated July 13, 1920,[13] addressed to Mr. Maitland Dwight of this Department by Major Victor E. Ruehl, Chief of the Contract Section, Office of the Director of Sales, in which it is requested that the Department of State inform the Office of the Director of Sales of the War Department as to whether or not the State Department has any objections to the extension for a period of one year from June 30, 1920, of the War Department contracts with the two Russian and Siberian cooperative societies, namely, The All-Russian Central Union of Consumers' Societies and the Union of Siberian Co-opera-

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[11] Not printed; released to the press July 8, 1920.

[12] Attached to file is a memorandum of the Foreign Trade Adviser, dated July 28, 1920, which states: "In accordance with instructions received from Mr. Merle-Smith and from Mr. Adee's Office, I telephoned Major Ruehl, of the Director of Sales Office, of the War Department, and conveyed to him orally the substance of the last paragraph which was omitted from the letter of July 27th, addressed to the Secretary of War, on the subject of the renewal of certain contracts with Cooperative Societies."

[13] Not printed.

tive Unions, dated June 20, 1919, which by the terms thereof were to continue in force for one year and to be subject to renewal.

In reply I have the honor to inform you that this Department has carefully considered the matter and is of the opinion that it is not advisable at the present time to renew the contracts in question. Although the contracts specify the right of the War Department to designate the areas in which the distribution of commodities may be made, the territory under the control of the anti-bolshevist factions of Russia is now practically negligible. Furthermore, your attention is invited to the fact that the managing directors of the cooperative societies in question have been changed by the action of the faction in control of Soviet Russia. The representative of the All-Russian Central Union of Consumers' Societies is Mr. Gregory Krassin, an executive official of the Soviet Central Council. The elected Directorate of the All-Russian Central Union of Consumers' Societies in Moscow and the foreign Directorate under Mr. Alexander Berkenheim have been declared removed by the Soviet authorities. Hence these cooperative societies must, for the present at least, be considered a part of the machinery of Soviet Russia.

[I have the honor to add, however, that it is hoped that the failure to renew the contracts at the present time will not prevent the War Department from considering their renewal at a future date in case the conditions mentioned above have been modified. It is, moreover, the desire of this Department that the contact with the Russian cooperative societies should be maintained in such a manner that future business relations with them may be resumed immediately if circumstances become favorable for such action.]

I have [etc.]

For the Secretary of State:
NORMAN H. DAVIS
Under Secretary

661.4116/76 : Telegram

The Ambassador in Great Britain (Davis) to the Secretary of State

LONDON, *August 3, 1920—6 p.m.*
[Received 6:17 p.m.]

1163. Kameneff [14] arrived in England by destroyer from Reval on Sunday last. Krassin has also reached London [after?] short stay in Copenhagen.

DAVIS

[14] In the British House of Commons on Aug. 9 it was stated by the Government that "the Soviet delegation is composed of . . . Krassin . . . for trade negotiations; . . . Kamenoff . . . for political questions arising out of trade negotiations."

661.4116/87 : Telegram

The Chargé in Great Britain (Wright) to the Secretary of State

[Extract—Paraphrase]

LONDON, *September 11, 1920—11 a.m.*
[Received September 11—9:19 a.m.]

1376. My no. 1334, September 3.[15] Kamenev is leaving London today for Moscow. For the present semi-political conversations will probably be discontinued with the Russian trade delegation. I have reliable information that the presence of the delegation in England at this time is strongly opposed in political circles, especially on account of the coal-strike menace and the general crisis in industry. . . .

. . . . . .

WRIGHT

661.4116/88 : Telegram

The Chargé in Great Britain (Wright) to the Secretary of State

[Paraphrase]

LONDON, *September 23, 1920—noon.*
[Received September 23—9:34 a.m.]

1428. My no. 1376, September 11, 11 a.m. In spite of Kamenev's departure and the disclosures recently made regarding the propaganda activity of the Bolsheviki in England I have been informed that it is the intention of the Prime Minister to carry out the plan of entering into a trade agreement with Krassin and the Russian trade delegation. Accordingly commercial negotiations are being carried on through Mr. Cheeney of the Supreme Economic Council. A memorandum has been drawn up in the form of a draft commercial agreement with the Government of Soviet Russia. This memorandum is for consideration by the Committee. Even though the French are not willing at present to continue conversations looking toward relations, Mr. E. F. Wise and the British representatives are receiving the cooperation of the Belgian, Italian and Japanese delegates. Therefore it has been decided that the commercial agreement will be presented to Krassin after full discussion, to be used as a basis for negotiation with the Russian delegation.

Under cover of my despatch no. 3458, September 22 [*23*],[15] I forwarded the complete text of the draft agreement.

WRIGHT

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[15] Not printed.

661.4116/99

The Chargé in Great Britain (Wright) to the Secretary of State

No. 3582 LONDON, *October 13, 1920.*
[Received October 27.]

SIR: I have the honor to report that the draft agreement between the British Government and the Russian Soviet Government, the text of which was transmitted to the Department under cover of my despatch No. 3458, of the 23rd ultimo,[18] has not yet been given official consideration by the Cabinet, nor formed the subject of formal discussion between the Permanent Committee of the Supreme Economic Council and the Russian Trade Delegation.

The Department will recall that in the Supreme Economic Council Minutes, transmitted in my despatch of above date, it was stated that Mr. E. F. Wise, the Chairman of the Permanent Committee, expected to acquaint M. Krassin informally with the contents of the Trade Agreement on or about September 22, 1920. Mr. Wise is reported to have stated that subsequent to this date he hoped to be able to collect the observations upon the Agreement of the various Governments concerned and then to transmit the draft formally to M. Krassin. I am informed that owing to developments in the domestic situation of this country the Government has not yet considered the proposed Trade Agreement at an ordinary Cabinet meeting and that pending such consideration Mr. Wise has been instructed by the Prime Minister to suspend official negotiations with the Russian Trade Delegation. In consequence the draft agreement remains, for the present, in abeyance and no further action will be taken by the British Government in this regard until definite guarantees are given by the Soviet Government that all British prisoners in Russia will be released forthwith, and that a cessation will be brought about in Bolshevik propaganda specifically directed against British interests.

I have [etc.] J. BUTLER WRIGHT

861.51/831

The Third Assistant Secretary of State (Merle-Smith) to the Assistant Secretary of the Treasury (Gilbert)

WASHINGTON, *November 8, 1920.*

MY DEAR MR. GILBERT: I beg to acknowledge the following letters:[18] From Mr. Gilbert to Mr. Merle-Smith, September 30, (five enclosures) and from the Secretary of the Treasury to the Secretary

[18] Not printed.

of State, October 9 (1 enclosure), relating to two anticipated shipments of Russian gold roubles from the Swedish Diamond Rock Drilling Company to Messrs. Brown Brothers and Company, in which inquiry is made whether the State Department would have any objections to the purchase of this gold by the Treasury, and as to whether it would be prepared to assure the Treasury that title to this gold would not be subject to attack internationally, if purchased by it.

In reply to the first of these inquiries the Department feels that it would be inadvisable in the present circumstances for any branch or agency of the Government to assume the responsibility involved in the possession of gold which on its face indicates Soviet origin.

In regard to your second inquiry the Department cannot give assurances that the title to such gold would not be subject to attack internationally.

I am [etc.] VAN S. MERLE-SMITH

661.4116/108 : Telegram

The Ambassador in Great Britain (Davis) to the Secretary of State

[Extract—Paraphrase]

LONDON, *November 18, 1920—8 p.m.*
[Received November 18—7 : 35 p.m.]

1633. It was decided by the Cabinet this morning to proceed with the project for trade with Soviet Russia. For that purpose the Cabinet gave its approval to the resumption of trade negotiations with Krassin immediately.

. . . . . .

DAVIS

861.51/884

The British Ambassador (Geddes) to the Under Secretary of State (Davis)

No. 771 WASHINGTON, *November 26, 1920.*

MY DEAR MR. ASSISTANT SECRETARY: With reference to our recent conversation on the subject of the movements of Russian gold, I am now informed by the Foreign Office that the present position on this question in Great Britain is as follows:

The import of gold from Soviet Russia into the United Kingdom is not prohibited, but licences would not be given for the melting down of such gold or for its re-export, nor would the Bank of England be willing to accept it in the absence of a guarantee of title

by the British Government which the British Government would not be willing to give. In practice the result has been to prevent the gold from coming to the United Kingdom and although small quantities have undoubtedly been realised from time to time in various parts of the world, the Treasury believe that hitherto the difficulties in the way of giving a title to the gold have effectually prevented the Soviet Government from disposing of any but insignificant amounts in any direction.

You will see that our practice is very similar to your own.

Believe me [etc.] A. C. GEDDES

861.51/912

The Assistant Secretary of the Treasury (Gilbert) to the Acting Secretary of State

WASHINGTON, *December 20, 1920.*

DEAR MR. DAVIS: Referring to our recent conference, I enclose for your information two copies of a public statement released on this date announcing the removal of the restrictions on credit and exchange transactions with that part of Russia now under the control of the so-called Bolshevik Government.

Sincerely yours,

S. P. GILBERT, JR.

[Enclosure]

Statement Issued to the Press by the Treasury Department, December 20, 1920

The Secretary of the Treasury and the Federal Reserve Board announce that with the approval of the Department of State and in order to give force and effect to the action of that Department in removing restrictions in the way of trade and communication with Soviet Russia, as announced by that Department on July 7, 1920,[20] all rules and regulations restricting the exportation of coin, bullion and currency to that part of Russia now under the control of the so-called Bolshevik Government, or restricting dealings or exchange transactions in Russian rubles, or restricting transfers of credit or exchange transactions with that part of Russia now under the control of the so-called Bolshevik Government have been suspended, effective December 18, 1920, until further notice.

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[20] See telegram no. 1215, July 7, to the Ambassador in France, p. 717.

861.51/918

The Assistant Secretary of the Treasury (Gilbert) to the Acting Secretary of State

WASHINGTON, *December 23, 1920.*

MY DEAR MR. DAVIS: Referring to your letter of December 16, 1920,[21] I enclose for your information a copy of my letter of this date to the Director of the Mint, supplementing previous instructions as to acceptance of gold by United States Mints and Assay Offices.

Sincerely yours,

S. P. GILBERT, JR.

[Enclosure]

The Assistant Secretary of the Treasury (Gilbert) to the Director of the Mint (Baker)

WASHINGTON, *December 23, 1920.*

SIR: By direction of the Secretary and in accordance with supplemental advices received from the Department of State and an announcement of December 20 by the Secretary of the Treasury and the Federal Reserve Board, a copy of which is enclosed,[22] the instructions set forth in my letter of November 26, 1920,[21] are hereby withdrawn and the following policy should be pursued until further notice with respect to gold presented to United States Mints and Assay Offices as to which any possible suspicion of Soviet origin arises:

1. All gold known to be of Soviet origin or which on its face or as the result of investigation appears to be of Soviet origin will be rejected by United States Mints and Assay Offices, no matter by whom tendered. No warranties of title or of non-Soviet origin will be sufficient to justify the acceptance of any such gold. All such gold tendered and rejected shall be reported to the Director of the Mint, Treasury Department, Washington, with a statement of all material facts and circumstances known to the Mint or Assay Office concerned.

2. Gold which is suspected to be of Soviet origin, if tendered to United States Mints or Assay Offices, will be received only subject to investigation. All such cases shall be reported promptly to the Director of the Mint, Treasury Department, Washington, with a statement of all material facts and circumstances known to the Mint or Assay Office concerned, in order that the case may be referred to

[21] Not printed.
[22] *Supra.*

the Department of State for investigation. No action will be taken by the Mint or Assay Office concerned looking toward the acceptance of any gold so tendered, and no payment whatever will be made thereon except pursuant to specific instructions from the Director of the Mint, Washington, who will await the receipt of report from the Department of State before authorizing acceptance or payment. If the reports received by the Treasury, including those received from the Department of State, indicate Soviet origin or fail to remove the suspicion of Soviet origin the gold will be rejected as under class (1). If, however, the reports received remove the suspicion of Soviet origin, the gold may be accepted upon the filing with the Mint or Assay Office of a duly executed and acknowledged certificate of ownership and non-Soviet origin in the form attached to my letter of November 26th. No gold which after investigation is known or still suspected to be of Soviet origin shall be accepted on the basis of any such certificate.

3. Gold which is neither known nor suspected to be of Soviet origin and which bears on its face no indication of Soviet origin, but as to which at the most a mere possibility of Soviet origin suggests itself, may be accepted when tendered to United States Mints or Assay Offices if presented by parties of known responsibility and accompanied by duly executed and acknowledged certificate of ownership and non-Soviet origin in the form hereinbefore referred to. Such gold may be so accepted without specific reference to the Treasury Department for instructions. The certificates of ownership should be retained in the permanent files of the Mint or Assay Office concerned, and advice of acceptance of the gold, together with copies of the certificates of ownership, should be filed with the Director of the Mint, Treasury Department.

Gold bearing the official coinage or mint stamp of the government of Great Britain, France, Italy, Belgium, Holland, Japan, China, Norway, Sweden, Denmark, or other recognized nation with which the United States is not technically at war, will be considered as free from any suspicion or possibility of Soviet origin, and therefore as not falling within any of the above classes.

Any doubtful cases arising under any of these classes shall be referred to this office for further instructions. In all cases arising hereunder, whether or not submitted to this office for specific instructions, letters shall be prepared in your office for the Assistant Secretary's signature, transmitting to the State Department for their information copies of all pertinent papers on file in the Department. A similar letter addressed to the Governor of the Federal Reserve Board shall be prepared as to any case presenting circumstances of unusual interest or questions of general policy.

In general, it will be the policy of the Department and of the Mints and Assay offices not to give any assurances in advance as to the acceptance of Russian gold or of gold of possible Soviet origin. Action will be taken only upon actual tender of the gold to a Mint or Assay Office and will then be taken in accordance with the instructions herein set forth. Replies to any inquiries as to Russian or Soviet gold shall be made along the lines heretofore indicated by this office.

Nothing herein contained shall be construed to permit the acceptance of any gold whatever which is not rightfully owned by the party presenting it.

You will advise all United States Mints and Assay Offices to proceed in accordance with the instructions herein contained.

Respectfully,

S. P. Gilbert, Jr.

RUSSIAN RIGHTS IN CHINA

(See volume I, pages 754 ff.)

SALVADOR

INSURRECTION BY ARTURO ARAUJO AND HIS ESCAPE TO HONDURAS:[1] REPRESENTATIONS BY THE UNITED STATES DEPRECATING THE TOLERATION OF REVOLUTIONARY AGITATION AGAINST NEIGHBORING STATES

816.00/244 : Telegram

The Chargé in Salvador (Arnold) to the Acting Secretary of State

SAN SALVADOR, *March 7, 1920—5 p.m.*
[Received March 8—5 : 13 p.m.]

Revolutionary activities of Arturo Araujo were discovered and the President ordered his arrest and [that] of his father Eugenio Araujo. Troops sent this morning to arrest Arturo at his plantation were fired upon. He escaped from the plantation. Martial law proclaimed 11 a. m. today. Eugenio imprisoned yesterday afternoon in Salvador. President informs me that he has the situation well in hand.

ARNOLD

816.00/247

The Chargé in Salvador (Arnold) to the Acting Secretary of State

No. 580 SAN SALVADOR, *March 12, 1920.*
[Received March 27.]

SIR: Referring to my cablegram No. 7 of March 12th, 11 a.m., and my Despatch No. 579 of March 10, 1920,[2] regarding the revolutionary uprising, I have the honor to report to the Department that in a conversation with the President today, he informed me that Mr. Arturo Araujo, the instigator of the revolutionary attempt, was permitted to go to Honduras where he is at present.

Mr. Eugenio Araujo, the Father, who is at present imprisoned in the Penitentiary, will be sent out of the country by the first steamer leaving the Republic.

The President has quelled the revolutionary disturbances with the utmost leniency and strict orders were given that no depredations

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[1] See also the chapter on Honduras, vol. II, pp. 854 ff.
[2] Neither printed.

to property would be permitted by troops under penalty of life, consequently nothing was destroyed.

Mr. Luis Frances, a Spanish subject and brother-in-law of Don Arturo, was given guarantees and a guard to assume charge of the large plantation of "El Sunza"[3] and two days after the disturbances the sugar mill resumed work and the laborers returned. The employees who had been arrested and brought from "El Sunza" were liberated and have returned to the plantation.

There are imprisoned only the military officers who had been bribed to join the Araujo cause and they will be later escorted out of the country.

Martial Law is still in force but will be removed in the near future. It is being retained in order to prevent any demonstrations by small groups of Arturistas throughout the country who may seek to cause trouble.

The revolutionary attempt has been successfully suppressed by the Government and the Republic is tranquil.

I have [etc.] FRANK D. ARNOLD

816.00/250

The Chargé in Salvador (Arnold) to the Secretary of State

[Extract]

No. 600 SAN SALVADOR, *April 17, 1920.*

[Received May 8.]

SIR: In compliance with the Department's circular instruction of May 28, 1917,[4] I have the honor to report as follows:

One. The Republic is tranquil and no political events occurred during the past week. Martial Law is still in force but is only retained as a precautionary power. The President informed me that there are at present eight prisoners in the Penitentiary in San Salvador and eight in Santa Ana. Of the prisoners still retained, most are held for criminal offenses. Don Eugenio Araujo, Father of Mr. Arturo Araujo, is still in the Penitentiary and will be kept there until Don Arturo leaves Honduras for England. Mr. Luis Frances, a brother-in-law of Don Arturo, was sent by the Araujo family to urge Don Arturo to leave but he refused. A second visit is being made which they hope will be successful. Don Arturo still continues to write for the press of Honduras against the Government of El Salvador.

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[3] The property of Arturo Araujo.

[4] Not printed.

All communications have been severed between Guatemala and El Salvador, including the mails to the United States. The mails will be sent via San Francisco and Panama until normal conditions are restored. Most alarming rumors are circulated regarding the revolution in Guatemala [5] and Minister Lowenthal published in the press that he had not received any official information from Guatemala for the past nine days and that the public should not place any credence in the telegrams received from Mexico by private individuals in El Salvador. The Legation has received no telegrams from Guatemala regarding the situation.

. . . . . .

I have [etc.] FRANK D. ARNOLD

815.00/2179 : Telegram

The Chargé in Salvador (Arnold) to the Secretary of State

SAN SALVADOR, *May 4, 1920—8 p.m.*
[Received May 5—3:55 p.m.]

14. The President informed me that he received a cablegram today from Salvadorean Minister at Washington stating that he was informed by Hondurean Minister at Washington that [*of*] contemplated armed invasion of Honduras. The President requests me to emphatically deny the report as it is his firm intention to preserve the friendly relations which happily exist between the two countries. Troops have been sent to the frontier to guard against possible revolutionary movement of Arturo Araujo who is reported to be on frontier fomenting a revolution. President said that Arturo had received aid from the Honduranean Government in his revolutionary aims. Doctor Reyes Arrieta Rossi new Salvadorean Minister at Honduras is in Tegucigalpa and hopes to settle all questions diplomatically.

ARNOLD

715.16/30

The Chargé in Salvador (Arnold) to the Secretary of State

No. 615 SAN SALVADOR, *May 9, 1920.*
[Received June 5.]

SIR: Referring to my cablegram of May 9, 9 P.M.,[6] I have the honor to inform the Department that President Meléndez informed me that he had just received a telegram from the frontier stating that troops crossed from Guarita in Honduras and invaded the small

[5] For papers relating to this subject, see vol. II pp. 718 ff.
[6] Not printed.

village of Arcatao in Salvadorian territory. No details of the invasion have been received and he did not know if the invading force consisted of revolutionists under Arturo Araujo or Honduranean troops. The Salvadorian Army is repelling the attack and the fighting is at present taking place. The President said that strict orders had been given to the Army to repel all attacks made on Salvadorian territory but not to cross the frontier and enter Honduras. He stated that all efforts had been made between the Salvadorian Government and the Government of Honduras to prevent them from assisting Arturo Araujo in his revolutionary designs. The Honduranean Government denies that any assistance had been given to Arturo Araujo and promised to concentrate all Salvadorian refugees in Tegucigalpa. Unimportant people have been concentrated while the chief supporters of Araujo were allowed to remain on the frontier.

For the past few days telegraphic communications sent by the Salvadorian Government to Minister Rossi in Honduras have been received by him in such a mutilated condition that they are undecipherable and he has called for repetitions.

The President again stated that Arturo Araujo was receiving aid from the Honduranean Government and that while in Tegucigalpa was continually in the company with government officials who could not have been ignorant that he was purchasing all available arms and ammunition. The Honduranean Government promised the Salvadorian Government to have Arturo Araujo escorted to Puerto Cortez where he was to embark for England. They sent a telegram to the Salvadorian Foreign Office stating that Araujo had left for Puerto Cortez. A few days later a cablegram was received that he had escaped their escort and that his whereabouts was unknown.

I received the impression from the conversation with the President that he was aware that Arturo Araujo was at the head of the invading forces and that the revolution against the present Salvadorian Government had begun.

I have [etc.] FRANK D. ARNOLD

715.16/22 : Telegram

The Chargé in Salvador (Arnold) to the Secretary of State

SAN SALVADOR, *May 11, 1920—9 p.m.*

[Received May 13—7 : 15 p.m.]

17. President informed me that revolutionists have been repulsed and driven back to four kilometers of frontier. He stated that Araujo still continues to receive assistance from Hondurean Government.

ARNOLD

715.16/21 : Telegram

The Consul in Charge of the Legation in Honduras (Lawton) to the Secretary of State

TEGUCIGALPA, *May 12, 1920—8 p.m.*
[Received May 13—3:18 p.m.]

41. Hondurean Government has received an ultimatum from the Salvadorean Government which arrived after the time of grace had passed and Hondurean Minister Resident in Salvador also reports that General Leiva started to-day to invade Honduras with arms supplied by the Salvadorean Government. . . .

LAWTON

715.16/22 : Telegram

The Secretary of State to the Consul in Charge of the Legation in Honduras (Lawton)

WASHINGTON, *May 15, 1920—5 p.m.*

30. Your May 12, 1 [*8*] p.m.

The Department has received confidential information . . . that a state of war exists between Salvador and Honduras. The Legation at Salvador informs the Department that revolutionists have entered Salvador from Honduras and that Araujo still continues to receive assistance from the Honduranean Government. If, in your opinion, this is the case, you will remind the Government of Honduras of the obligations assumed by it under the Washington conventions of December 20, 1907, in regard to encouraging or permitting revolutionary activities within its jurisdiction against the Government of a neighboring Republic. Because of the participation of the United States in the Washington conference, and because of the fact that the conventions were communicated to United States as a consulting and advising party, this Government feels a special interest in the observance of their provisions.

You will, therefore, impress upon the Government of Honduras that the outbreak of hostilities is viewed with the gravest concern by the Government of the United States.

Past experience has shown that there are no questions pending between the Central American Republics that cannot be settled peaceably by the exercise of good will and mutual forbearance.

You are directed, therefore, to offer the good offices of this Government for the peaceful solution of any questions pending between the two countries. A similar offer has been made to the Government of Salvador.

The Government of the United States regards any disturbance of the peace of Central America at this time as a continental calamity and those responsible therefor are charged with the gravest responsibility before the world.

The Department has today cabled American Legation Salvador substantially as above and urged appropriate representations looking to immediate withdrawal of Salvador's ultimatum if fact of its having been sent is confirmed.

COLBY

715.16/22 : Telegram

The Secretary of State to the Chargé in Salvador (Arnold)

WASHINGTON, *May 15, 1920—5 p.m.*

10. Your 17, May 11, 9 p.m.

American Legation Tegucigalpa informs Department that Salvador Government has sent ultimatum to the Government of Honduras. Inform Department of the nature of this ultimatum. Also a report has been received . . . indicating either a declaration of war by Salvador against Honduras or the actual commencement of hostilities.

If it is true that a state of war exists, you will inform the Government of Salvador that the United States regards with the gravest concern the outbreak of hostilities in Central America and is unwilling to believe that Salvador would deliberately violate the neutrality of Honduras thus disregarding the provisions of the Washington conventions of December 20, 1907. Because of the participation of the United States in the Washington conference and the fact that the conventions were communicated to the Government of the United States as a consulting and advising party, this Government feels a special interest in the observance of the provisions of the conventions and cannot remain indifferent to their violation. This Government therefore confidently expects the Government of Salvador immediately to withdraw its ultimatum, to refrain from any further acts of hostility and strictly to comply with the obligations entered into under the aforesaid conventions. Any other course will be regarded by this Government with grave concern as the Government of the United States regards any disturbance of the peace of Central America at this time, as a continental calamity and those responsible therefor are charged with the gravest responsibility before the world.

Past experience has shown that there are no questions pending between the Central American Republics that cannot be settled peaceably by the exercise of good will and mutual forbearance.

You are directed, therefore, to offer to the Government of Salvador the good offices of this Government for the peaceful solution of any questions pending between the two countries. A similar offer has been made to the Government of Honduras.

COLBY

715.16/23 : Telegram

The Chargé in Salvador (Arnold) to the Secretary of State

SAN SALVADOR, *May 17, 1920—11 a.m.*
[Received May 18—9:12 a.m.]

19. Department's 10, May 15, 5 p.m. President emphatically denies the reports. No ultimatum has been sent to Honduras and no invasion of Hondurean territory has taken place. Honduras has promised to send Arturo Araujo and chief revolutionists out of the country. Until they have left Honduras, troops will be kept on Salvadorean frontier as precautionary measure. Doctor Salvador Corleto special agent of Honduras is at present in San Salvador and the President said all questions will be settled amicably between the two countries.

ARNOLD

715.16/31

The Chargé in Honduras (Belden) to the Secretary of State

No. 656 TEGUCIGALPA, *May 20, 1920.*
[Received June 11.]

SIR: I have the honor to acknowledge receipt of the Department's cablegram No. 30 of May 15, 4[5] pm, regarding the relations existing between the Republics of Honduras and El Salvador, and to make the following report.

The Department's cablegram was received late on Sunday the 16th instant, the day I assumed charge of the Legation. On the following day I had a conference with the President of the Republic and the Minister for Foreign Affairs at a country house a short distance from the Capital, at which time I conveyed to the President the portent [*purport?*] of the Department's instructions. The President expressed his appreciation of the offer of the United States Government to assist the Governments of Honduras and Salvador in solving in a peaceful manner any problems which may exist between the two countries. He protested, however, that his Government has only endeavored to show all possible good will towards that of Salvador in overcoming the difficulties which have presented themselves as an aftermath of the late revolution in Honduras and the recent uprising in Salvador headed by Dr. Arturo Araujo, and that everything pos-

sible had been done and would be done on his part to prevent the emigrates [*sic*] from Salvador who have escaped into Honduran territory from fomenting a revolutionary movement against the Government of Salvador. From what I can learn and in accord with the opinion of Mr. Lawton, recently in charge of this Legation, I am inclined to put faith in the expressions and sincerity of the President.

Since first seeing the President, official word has been received of the capture and detention of Dr. Araujo and a large number of his adherents at Santa Rosa de Copan. The captured persons are being held by this government, which is considering the expulsion of Dr. Araujo and the principal leaders. Last evening I received a telegram in Spanish from Dr. Araujo from Santa Rosa, as follows:

"I come to you as representative as you are of the great nation which has fought so much for the liberty of peoples that you may interpose your valuable influence for us who are fighting for the liberty of our fatherland to the end that we be permitted to leave Honduran territory *en route* to Guatemala and the United States which we believe to be our right and [*as*] free and honorable men."

To the above telegram I have thought it best not to reply, simply limiting myself to showing it to the Minister for Foreign Affairs.

Last evening the Minister for Foreign Affairs called at the Legation to inform me that the President had received a telegram from the Honduran Minister at Salvador in which the latter expressed the opinion that, because of the exacting attitude of the Government of Salvador, the relations between Honduras and Salvador were still in a very uncertain, if not critical, state.

This afternoon, accompanied by Mr. Lawton, I called upon the President with reference to the capture of Dr. Araujo and the situation relative to Salvador. The President explained that the Government of Honduras would probably expulse [*sic*] Dr. Araujo and the principal leaders of the movement against Salvador from Honduran territory but that he felt that, should his Government do so, the Government of Salvador should reciprocate by expulsing [*sic*] from Salvador the leading Honduran emigrates [*sic*] actually in that country. There appears to be no doubt but that the President feels that the Government of Salvador has not and is not at the present time showing a spirit of good will in desiring to maintain friendly relations with Honduras.

On the 17th instant a short article appeared in *El Cronista*, a daily newspaper of this city, edited by Paulino Valladares, an openly avowed friend of the United States, a translation of which is enclosed,[6] stating that Honduras may rest assured that its peace will not be disturbed either on the frontiers of Salvador or on those of

[6] Not printed.

Nicaragua, " for the friendly mediation of the Government of Washington, for sheer humane reasons as well as for the sake of pan-American advantage, will avoid the useless shedding of blood."

In reply to this article the Minister from Salvador, Dr. R. Arrieta Rossi, to whom reference was made in Mr. Lawton's despatch No. 651 of the 13th instant,[7] addressed a letter to the editor of *El Cronista*, a translation of which accompanies this dispatch,[7] in which appears a paragraph stating that " the friendly mediation of Washington has nothing to do with the matter " and that " this influence, or as it is referred to in *El Cronista*, ' this friendly mediation ', ultimately would succeed in reestablishing peace, but somewhat tardily and when . . .[8] the blood of our brothers already would have been unnecessarily spilled." It is needless to say that the Minister's letter has been most adversely criticized as a diplomatic blunder, containing, as it would appear to do, a " veiled threat " and a scarcely politic reference to the United States at a time when that Government is prepared to assist the Governments of Honduras and Salvador in overcoming any difficulties which may exist between them.

I further enclose translations of two editorials from *El Cronista* of the 18th and 19th instant,[7] in reference to the above mentioned letter of the Minister from Salvador.

In my two conversations with the President he referred to the great expense to which his Government is being put in maintaining the necessary military forces on the frontiers of Salvador and Nicaragua. In my first conversation both the President and the Minister for Foreign Affairs expressed anxiety regarding the danger of trouble from Nicaragua.

The President showed pleasure when informed that the Department had instructed the Legation at Salvador to take proper steps to induce the Government of Salvador to withdraw the ultimatum which was substantially a demand that the President of Honduras insist upon the resignation of the Minister of War. He repeated with a show of force that the Government of Honduras could not and would not concede this demand unless the Government of Salvador presented full and compelling proofs of the complicity of the Minister of War in the Araujo movement.

The President has stated to me that, ever since assuming the duties of Chief Executive, he has been constantly harassed by the situation on the frontiers of Nicaragua and Salvador to such an extent that he has been hindered in and prevented from devoting his full attention to serious internal problems which he feels it his bounden duty to give. The President, as can be appreciated, is in a most

[7] Not printed.
[8] Omission indicated in the original despatch.

difficult position and the period of reconstruction needs his entire devotion and study. I cannot but feel that instructions should be conveyed to our Legations in San Salvador and Managua to watch most carefully any activities on the part of the Government of Nicaragua and Salvador directed towards disturbing the Government of Honduras which appears to be endeavoring to bring the country once more to a state of internal peace and future prosperity.

I may add that there is a growing tendency on the part of Honduras to look to the United States and a possible adoption of a treaty which would guarantee the protection and neutrality of this country.

I have [etc.] PERRY BELDEN

816.00/264

The Chargé in Salvador (Arnold) to the Secretary of State

No. 622 SAN SALVADOR, *May 22, 1920.*
[Received June 3.]

SIR: In compliance with the Department's circular instruction of May 28, 1917,[9] I have the honor to report as follows:

One. The political conditions in the Republic are tranquil. The Government still continues to keep troops on the frontier as reported to the Department and will do so as long as Mr. Arturo Araujo is in Honduras. It is to be regretted that about two thousand volunteers who are on the frontier besides the regular troops are detained from their agricultural labors as it is the time to plant the corn and beans on the small patches of ground allowed the laborers. This will cause a scarcity of corn and beans and an increase of price which may cause a hardship next year.

Mr. Arturo Araujo is still in the custody of the Honduranean Government which has promised to send him from the country at the first opportunity.

The election of four designados for the Presidency of the Republic took place Monday May 17th. They are First Designado, Doctor Pio Romero Bosque, Second, Doctor Roberto Parker, Third, Doctor Baltasar Estupinián and Fourth, Mr. Angel Guirola.

The U.S.S. *Takoma* arrived in Acajutla, May 19th. Captain E. S. Jackson and aid visited the Capital where they were most courteously received and entertained by the Government.

Two and Three. Nothing to report.

Four and Five. None.

I have [etc.] FRANK D. ARNOLD

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[9] Not printed.

715.16/25

The Salvadoran Minister (Sol M.) to the Secretary of State

[Translation [11]]

WASHINGTON, *May 24, 1920.*

Mr. SECRETARY: I have the honor to inform Your Excellency that by a cablegram of the 22d instant, Dr. Don Juan Francisco Paredes, Minister of Foreign Relations of Salvador instructs me to bring the following to Your Excellency's knowledge:

Mr. Frank D. Arnold, Chargé d'Affaires of the United States in Salvador has orally informed my Government that by a cablegram of the 15th of the present month of May, the Department of State advised him that it had received reports from the American Legation at Tegucigalpa to the effect that the Government of Salvador had served an ultimatum on that of Honduras; that it also had information of a declaration of war by Salvador against Honduras and that the actual beginning of hostilities was feared; and asked for information about the nature of the said ultimatum.

The Chargé d'Affaires further declares that he is instructed by the Department of State in the event of a state of war actually existing to notify my Government that that of Your Excellency views with the gravest concern the outbreak of hostilities in Central America and is unwilling to believe that the Republic of Salvador wishes deliberately to violate the neutrality of Honduras, thus disregarding the provisions of the convention concluded in Washington on December 20, 1907; that the Government of the United States confidently expects the Salvadoran Government immediately to withdraw its ultimatum and refrain from further acts of hostility, and strictly to comply with the obligations assumed under the said convention.

The said Chargé d'Affaires finally tendered to my Government the good offices of that of the United States for the peaceful solution of any question pending between Salvador and Honduras and said that a similar tender had been made to the Honduran Government.

The Government of Salvador assured the Chargé d'Affaires of the United States that the reports transmitted to the Department were wholly inaccurate and through me it makes the following declarations:

First. The Government of Salvador has not sent any ultimatum to that of Honduras. There has been no declaration of war against the Republic of Honduras by the Republic of Salvador, and there is no actual beginning of hostilities.

Second. The policy of the Government of Salvador towards Honduras rests on the foundation of strict abstention and absolute neu-

[11] File translation revised.

trality in the domestic life of Honduras, of the fulfillment of its duties as a good neighbor, and of respect and good will.

Third. Although the Salvadoran Chancellery has declared on former occasions to the other Central American Chancelleries its belief that the General Treaty of Peace and Friendship signed in Washington on December 20, 1907, cannot be regarded as still in force, the Government of Salvador deems itself virtually bound by the general terms of that covenant and will always, for its part, take pride in regarding as a rule of Central American public law the principle contained in article I of the said treaty, under which the Central American Republics regard as their primary duty in their mutual relations the maintenance of peace.

Fourth. Adhering to the course above outlined, the Government of Salvador has paid earnest attention to any suggestions it has received from the Government of Honduras, especially with regard to the patrol of Salvador's frontiers to prevent raids by Honduran political refugees; to keep under arrest the refugees, and to intern and to place under surveillance generally all the Honduran political refugees, numbering more than 2,000 persons.

Fifth. My Government has not demanded up to date from that of Honduras any compensation whatever on account of putting into effect the above-mentioned suggestions.

Sixth. The Government of Salvador has interested itself in and managed to prevent license of speech or attacks through the press that might endanger its friendly relations with the Government of Honduras, and, on the other hand, has prevented Honduran political refugees from acts or manifestations that would injure the interests of the Government of that Republic.

Seventh. Notwithstanding the various suggestions of the Government of Salvador, which His Excellency the President of Honduras repeatedly offered to carry out, his Government has shown itself unable to intern and place under surveillance the few Salvadoran political refugees, who, under the leadership of Arturo Araujo, organized and armed themselves against Salvador near its frontier and within the Honduran territory.

Eighth. According to the declarations of the Legation of Honduras in Salvador, Señor Araujo and other Salvadoran political refugees received war material from the Commandant of the Department of Intibucá in Honduras, General Gregorio Ferrera.

Ninth. In view of the facts heretofore stated and of the menace to the peace and tranquility of the Republic involved in those acts, the Government of Salvador deemed it its duty not to continue any longer in its waiting attitude and found itself constrained to prescribe measures tending to protect its frontiers with regular forces of its army for the purpose of repressing any revolutionary attempt from Honduras that might affect public order and the safety of the Salvadoran institutions.

Tenth. The national territory having been invaded on the afternoon of the ninth of this month of May by a group of Salvadoran refugees coming from Honduras, the Government of Salvador totally defeated the revolutionary movement within its own territorial limits and in so doing received the support and patriotic cooperation of the

Salvadoran people, who opposed and energetically condemned the subversive movement.

Eleventh. The Government of Salvador, anxious to conserve the peace and good will which must exist between neighboring countries, has asked the Government of Honduras to capture and intern the Salvadoran political refugees and to expel their leaders, without setting any time limit therefor; this application cannot be considered in any way to be an ultimatum.

Twelfth. The Government of Salvador is in possession of affidavits which prove that Captain Major Antonio R. Lima, a Salvadoran political refugee, under an order of the ninth of March of this year, authorized by Dr. Carlos Lagos, Minister of War of Honduras, was appointed machine-gun instructor of the First Regiment of Artillery of the Honduran Army. The Government of Salvador regards with grave concern the fact that that same Captain Major Antonio R. Lima, under the designation of Chief of Machine Guns, had enlisted among the Salvadoran revolutionists forming part on active duty of the group that invaded the national territory.

Thirteenth. Inasmuch as the conduct of the Minister of War of the Government of Honduras, Dr. Carlos Lagos, has shown him to be tolerant toward the Salvadoran revolutionists, perhaps on account of the said Dr. Carlos Lagos having taken an important part in the propaganda of opposition to the present order of things during the last electoral campaign in Salvador, my Government has signified to the Government of Honduras the serious fears it entertains that the presence of Dr. Carlos Lagos in the Honduran Cabinet may, in the future, prove an obstacle to the harmony and good understanding between the Governments of the two countries.

Fourteenth. The Government of Salvador knows that the Legation of Honduras in Washington gave out the news that the Government of Salvador had launched against that of Honduras in the beginning of this month a revolution organized with Honduran political refugees and that on that account, it would not be a remote possibility that the Government of Honduras might let loose against the Government of Salvador Arturo Araujo and other Salvadoran political refugees. The foregoing assertions of the Legation of Honduras in Washington, made prior to the date on which Señor Araujo and other Salvadoran political refugees invaded the national territory, are significant, and their bearing is to be taken into serious consideration inasmuch as Salvador has not launched any revolution whatever against the Government of Honduras, as I informed the Department of State at the proper time, giving also assurance that the Government of Salvador is faithfully complying with its duties as a good neighbor.

The obviously earnest, loyal, and correct conduct of the Government of Salvador brought out in the foregoing statement impels it again to deny the charges brought against its correct international action and to decline all responsibility for what has occurred.

In stating here its firm desire for the maintenance of peace in Central America and especially with the Government of Honduras,

my Government hastens, through me, to express its most earnest gratitude to the enlightened Government of Your Excellency for the good offices which it has deigned to tender through the Chargé d'Affaires, Mr. Arnold, in the above cited telegram of the 15th of this month.

I renew [etc.] SALV. SOL M.

715.16/27

The Honduran Minister (López Gutiérrez) to the Secretary of State

[Translation [12]]

WASHINGTON, *May 26, 1920.*

EXCELLENCY: Amplifying the oral information I had the honor to make known to the Department of State with respect to the ultimatum recently served on the Government of Honduras by that of Salvador, I wish to say to Your Excellency that I find the following telegram among my papers:

"Tegucigalpa, May 12, 1920. The Minister of Honduras, Legation of Honduras, Washington. Mondragón (Minister of Honduras in Salvador) says: 'President Melendez awaits until four p.m. today dismissal Minister of War Lagos, whom the Government of Salvador considers guilty of the Araujo invasion, as being the only way to avert international war. That the . . . (unintelligible) this evening for our border with war material . . . (unintelligible)' My Government declined to dismiss him."

I take [etc.] J. ANTO. LOPEZ G.

715.16/26 : Telegram

The Chargé in Honduras (Belden) to the Secretary of State

TEGUCIGALPA, *May 26, 1920—11 a.m.*

[Received May 27—9:34 p.m.]

44. Department's telegram number 30 May 15, 5 p.m.[13] and 31 May 19, 6 p.m.[14] Instructions complied with.

President of the Republic appreciative of the offer of good offices and feels that the assistance of the United States is most important just now to prevent any possible complications between Honduras and Nicaragua or Salvador. Hondurean Government received yesterday an official report that General Leiva was leaving Salvador to join the Hondurean rebels in Nicaragua. The President entertains

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[12] File translation revised.
[13] *Ante*, p. 732.
[14] Not printed.

the belief that neither the Government of Salvador nor that of Nicaragua are acting in good faith as regards Honduras. He states that necessity of maintaining armed forces to watch the frontiers is a serious drain on the public funds already seriously depleted and I understand that because of this fact, the Government is unable to meet the payment of salaries which naturally tends to cause dissatisfaction and to weaken the position of the Government. It has been rumored that Santiago Meza Calix last Minister of War under Dr. Bertrand is in New Orleans seeking arms and ammunition for shipment to the north coast and that should any movement take place on the frontiers of Salvador or Nicaragua trouble might be expected from the north.

The *Sacramento* arrived yesterday and I am in communication with Commander Meyers and also I am telegraphing the Legation at San Salvador and Managua relative to General Leiva.

BELDEN

816.00/266

The Chargé in Salvador (Arnold) to the Secretary of State

[Extract]

No. 630 SAN SALVADOR, *June 5, 1920.*
[Received June 16.]

SIR: In compliance with the Department's instruction of May 28, 1917,[15] I have the honor to report as follows:

One. Mr. Arturo Araujo and Angel Esteves left Puerto Cortes, June 4th, for the United States. His adherents, Dr. Napoleon Velasco, Luis Raul Angulo, Salvador Escalon, Roque Jacinto Pineda, General Juan Amaya, Alonso Argueta and Doctor Lisandro Villalobos embarked for Guatemala. The departure of these revolutionists from Honduras will clear the political atmosphere between the two Republics and will permit the Salvadorian troops which have been retained on the Honduranean frontier to be removed.

The President informed me that from telegrams received by the Honduranean *emigrés* in San Salvador, he anticipated that the Honduranean revolutionists were preparing to invade Honduras from the Nicaraguan frontier. The President informed the President of Honduras of these telegrams and troops were sent to the Nicaraguan border. A revolutionary attempt was made which was successfully defeated by the Honduranean Government.

. . . . . .

I have [etc.] FRANK D. ARNOLD

[15] Not printed.

715.16/25

The Secretary of State to the Chargé in Salvador (Arnold)

No. 209 WASHINGTON, *June 30, 1920.*

SIR: The Department has observed that the reports made by you on recent developments affecting the relations between the Governments of Salvador and Honduras and those received from the Legation at Tegucigalpa have not been entirely in accord.

At the time of the crisis last May in the relations between the two countries, Mr. Lawton, American Consul in charge of the Legation at Tegucigalpa, referred in a telegram [16] to an ultimatum presented to the Government of Honduras, and in a subsequent despatch [17] stated that this ultimatum, which was sent to President López Gutiérrez by President Meléndez through the Honduran Minister in Salvador, demanded that the Honduran Minister of War present his resignation within forty-eight hours. Mr. Lawton further stated that when this demand was not immediately acceded to, it was followed by another ultimatum transmitted by telegram through the Honduran Legation in Salvador, stating that President Meléndez gave President López Gutiérrez twenty-four hours in which to dismiss his Minister of War. Mr. Lawton added that the Honduran Minister had likewise protested to the Foreign Office and to the diplomatic corps, against the close relationship evidently existing between the Government of Salvador and the Honduran revolutionists in that country, but in spite of that fact General Leiva, the Honduran "emigrado", was to leave on the morning of May 12th for the Honduran frontier with arms and ammunition, supplied by the Salvadorean Government, and accompanied by Honduran revolutionists.

Mr. Belden, who succeeded Mr. Lawton at Tegucigalpa, referred in a despatch of May 20th [18] to the pleasure the President of Honduras showed when informed that the Department had instructed the Legation at Salvador to take steps to induce the Government of Salvador to withdraw the ultimatum.

The Minister of Honduras in Washington has shown the Department a telegram [19] received from his Government which stated that an ultimatum had been delivered by the President of Salvador to the Honduran Minister in San Salvador on May 11th demanding the resignation of the Minister of War of Honduras by four o'clock on the afternoon of the following day.

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[16] No. 41, May 12, 1920, p. 732.
[17] Not printed.
[18] *Ante*, p. 734.
[19] Apparently refers to the telegram quoted in the Honduran Minister's note of May 26, p. 741.

In your despatch No. 624 of May 25, 1920,[20] you state:

"I have the honor to respectfully indorse, from the knowledge I have, after carefully following the situation in El Salvador, that the contents of the cablegram sent to Minister Sol are a true account of the situation which has developed between the two Governments of El Salvador and Honduras."

The reports from the Legation at Tegucigalpa above referred to and the information received from the Honduran Minister in Washington are contradictory to the statements contained in the note presented to the Department by the Salvadorean Minister in Washington on May 24th which contains fourteen paragraphs, and appears to be identical with the cabled instructions referred to in your despatch of May 25th. In order that you may be advised of the contents of this note of the Salvadorean Minister, a copy is enclosed herewith for your information.[21]

As you give in your despatch of May 25th, in the paragraph referred to, what may be considered a general endorsement of the statements made to you by the President of Salvador, the Department assumes that you have been advised of certain facts which convinced you of the accuracy of these statements. You are therefore instructed to inform the Department as to what information you may have had which made you assume that no ultimatum was delivered to the Honduran Government by the Government of Salvador, together with any other information in your possession which you consider justifies your endorsement of the statements made to you by the President of Salvador.

I am [etc.]

For the Secretary of State:
ALVEY A. ADEE

816.00/279a : Telegram

The Acting Secretary of State to the Chargé in Salvador (Arnold)

WASHINGTON, *July 12, 1920—7 p.m.*

13. You are instructed to call upon the Minister for Foreign Affairs at the earliest opportunity and deliver to him in person the following *note verbale:*

"The Government of the United States has viewed with the deepest concern the recent revolutionary expeditions which have been organized along the boundaries of the Republics of Nicaragua and Honduras and of the Republics of Salvador and Honduras, and

[20] Not printed.
[21] *Ante*, p. 738.

which have culminated in armed invasions of the territory of two of these nations by revolutionary forces concentrated on neighboring and friendly soil.

It is evident that the peace and prosperity of Central America are seriously imperiled by the recurrence of these revolutionary attempts, for no nation can proceed with the orderly administration of internal affairs when it is confronted with the ever-present menace of revolution at its frontiers, and the tremendous drain on the finances of a nation so threatened, caused by the necessity of mobilizing additional forces to guard its boundaries, makes it impossible for it to devote the necessary funds to essential internal expenditures.

The Government of the United States considers that the continued safety of the republican form of government in this continent, a form of government in the development of which every American nation has shared, requires each American Republic to assure itself that no revolutionary menace to the peace and security of a neighboring government is being organized within its borders. It therefore believes it to be its solemn duty to call to the attention of the Government of Salvador in the most earnest manner, what it had occasion recently clearly to proclaim, that it is convinced that it is the common obligation of all the American nations to enforce their neutrality laws with the utmost rigidity, to permit no revolutionary expeditions against other states to be fitted out within their territory, and to prohibit the exporting of munitions of war for the purpose of supplying revolutionists against neighboring governments."

For your information. Identical instructions are being sent to the Legations at Tegucigalpa and Managua.

The Department desires you also to intimate discreetly and informally to the President of the Republic that the Government of the United States is of the opinion that all political difficulties must be solved without disorder and that it will not look with favor on any government in Central America which is not brought into power by constitutional methods, or [which is] retained in power by extra Constitutional methods.

DAVIS

715.16/37

The Chargé in Salvador (Arnold) to the Secretary of State

No. 657 SAN SALVADOR, *August 4, 1920.*
[Received August 23.]

SIR: In answer to the Department's instruction No. 209 of June 30, 1920, regarding the relations between the Governments of El Salvador and Honduras, instructing me to inform the Department as to what information I may have had which made me assume that no ultimatum was delivered to the Honduran Government by the Government of El Salvador, together with any other infor-

mation in my possession which I consider justifies my endorsement of the statements made to me by the President of El Salvador, I have the honor to submit the following reasons for forming the opinion which I expressed to the Department:

Not only did the President repeatedly deny to me that an ultimatum had been sent to the Government of Honduras but also Doctor Juan Francisco Paredes, the Minister for Foreign Affairs and Doctor Miguel Gallegos, Subsecretary of Foreign Affairs, both emphatically informed me that no ultimatum had been sent to the Honduran Government.

The assurances of these three high governmental officials coupled with the fact that Doctor Arrieta Rossi had been appointed Minister to Honduras and immediately left for his post in order, as the President informed me, to settle all difficulties existing between the two countries, amicably and diplomatically, caused me to form my opinion that no ultimatum had been sent by the Salvadorian Government to the Government of Honduras.

I have [etc.] FRANK D. ARNOLD

SWEDEN

TERMINATION OF ARTICLES XI AND XII OF THE CONSULAR CONVENTON OF JUNE 1, 1910

(See volume I, pages 210 ff.)

TURKEY

VIEWS OF THE UNITED STATES GOVERNMENT ON THE PEACE SETTLEMENT WITH TURKEY, AS COMMUNICATED TO THE SUPREME COUNCIL

763.72119/9608

The French Ambassador (Jusserand) to the Acting Secretary of State

[Translation]

WASHINGTON, *12 March, 1920.*

MR. SECRETARY OF STATE: I had the honor orally to inform Your Excellency on the 9th of this month that the work of framing the peace treaty with Turkey had in the conferences at London progressed far enough to make it possible to consider summoning the Turkish delegates at an early date. At the same time I told you that my Government would be happy to know as early as possible whether the Government of the United States, which is taking no part in the conferences in question, intends to desist from interest in Eastern affairs or whether on the contrary, as the President of the Council would prefer, it proposes by taking part in this work to claim its share of influence, action and responsibility in the definitive and general reestablishment of peace.

Acting upon an allusion of yours to the nature of the settlement contemplated, I telegraphed to my Government, which has put me in a position to inform you as follows:

1.—*Frontiers of Turkey in Europe:* The Enos-Midia or more probably the Chatalja line.

2.—*Frontiers of Turkey in Asia:* On the North and the West, the Black Sea, the Sea of Marmora, the Mediterranean. On the East, the frontier of the Armenian State. On the South, the course of the Jaihun Irmak (Cilicia), then a line running North of Aintab, Birejik, Urfa, Mardin and Jezireh-Ibn-Omar.

3.—*Zone of the Straits:* The Turkish Sultan and Government will be maintained at Constantinople, that decision however being contingent upon the execution of the terms of peace and observance of the guarantees therein stipulated in favor of the minorities. No Turkish troops, except the Sultan's bodyguard, will remain in Constantinople.

The Allies will continue to reserve the right of military occupation in Turkey-in-Europe and in a zone south of the Straits and of the Sea of Marmora.

An international Commission will be created, with administrative and financial powers, to ensure the freedom of the Straits, which will be guaranteed in time of peace as in time of war. The Commission, which will exercise its powers in the name of and by delegation from the Sultan, will have its own flag and budget, with power to borrow money on its revenues. It will collect taxes on the basis of complete equality between all countries. It will do whatever may be necessary for the improvement of navigation and will be vested with naval police rights. France, England, Italy, and in certain contingencies the United States and Russia, will each have on the Commission one representative with two votes. Rumania, Greece and ultimately Bulgaria will have a representative with one vote. The Chairmanship may be held only by a representative of one of the Great Powers. Several other questions, regarding in particular the passage of warships and the regime of the Straits in time of war are still under advisement. In case the territory of Greece should extend as far as the Sea of Marmora, the Greek shore would be subject to the same regime as the Turkish shore.

4.—The sovereignty of Greece will be established over such part of Thrace as is not left to the Turks. Special guarantees will be granted to the Ottomans in Adrianople. A free port will be set apart for the Bulgarians.

5.—A special arrangement is in preparation affecting the three Great Mediterranean Powers, the purpose of which will be to set aside for each within a definite region a right of preference in the matter of furnishing advice and instructors.

6.—The independence of Armenia, whose financial and military organization will be effected with the assistance of the League of Nations, will be recognized. Special rights over Lazistan will ensure her access to the sea.

Turkey will relinquish all rights to Mesopotamia, Arabia, Palestine, Syria, and all the islands.

7.—Smyrna, with a zone from which Aidin will probably be excluded, will be administered by the Greeks under the Sultan's suzerainty. The port will be free and a part of it will be specially set aside for the Turks.

8.—In the field of economics many questions have received preliminary examination only or have encountered difficulties which will have to be solved by the Supreme Council. Nevertheless an agreement has been reached on the following points: liquidation of German property in Turkey; maintenance of concessions granted for-

eigners in territories subject to a change of sovereignty, saving possible revision or cancellation with indemnity; creation of a financial commission having control of all the revenues and expenditures of Turkey; continuance of the administration of the Ottoman Public Debt and of the right of the bondholders of that debt to the guarantees pledged to them; reimbursement of the costs of military occupation restricted to occupied territories which will remain Turkish.

These are, in substance, the points upon which the Powers represented at the London conferences have reached a preliminary understanding.

Be pleased [etc.] JUSSERAND

763.72119/9608

The Secretary of State to the French Ambassador (Jusserand)

WASHINGTON, *March 24, 1920.*

EXCELLENCY: I have the honor to acknowledge the receipt of Your Excellency's note of March twelfth, relative to the conferences regarding the Peace Treaty with Turkey and the present status of the negotiations between the principal Allied Powers, and in reply to inform you that the President does not deem it advisable in the present circumstances that the United States be represented by a Plenipotentiary at the conference. The President feels, however, that as this Government is vitally interested in the future peace of the world, it should frankly express its views on the proposed solutions of the difficult questions connected with the Turkish Treaty. While it is true that the United States of America was not at war with Turkey, yet it was at war with the principal allies of that country and contributed to the defeat of those allies and, therefore, to the defeat of the Turkish Government. For that reason, too, it is believed that it is the duty of this Government to make known its views and urge a solution which will be both just and lasting.

The Government of the United States understands the strength of the arguments for the retention of the Turks at Constantinople, but believes that the arguments against it are far stronger and contain certain imperative elements which it would not seem possible to ignore. It was the often expressed intention of the Allies that the anomaly of the Turks in Europe should cease, and it cannot be believed that the feelings of the Mohammedan people, who not only witnessed the defeat of the Turkish power without protest, but even materially assisted in the defeat, will now so resent the expul-

sion of the Turkish Government as to make a complete reversal of policy on the part of the great Powers desirable or necessary.

As to the line given as the southern frontier of Turkey, it is assumed that this boundary is meant to be the ethnological frontier of the Arab people, in which case, it is suggested, certain rectifications would seem necessary. If, however, other considerations entered into the choice of this line, this Government, without any intention to criticize, would appreciate being furnished with the arguments dictating such a choice.

The Government of the United States notes with pleasure that provision is made for Russian representation on the International Council, which it is proposed shall be established for the Government of Constantinople and the Straits. This Government is convinced that no arrangement that is now made concerning the government and control of Constantinople and the Straits can have any elements of permanency unless the vital interests of Russia in those problems are carefully provided for and protected, and unless it is understood that Russia, when it has a Government recognized by the civilized world, may assert its right to be heard in regard to the decisions now made.

It is noted with pleasure that the questions of passage of war ships and the regime of the Straits in war time are still under advisement as this Government is convinced that no final decision should or can be made without the consent of Russia.

As for Thrace, it would seem right that that part of East Thrace which is outside of the zone reserved for Constantinople should become part of the Kingdom of Greece with the exception of the northern part of that province. As this, the northern part, is clearly Bulgarian in population, justice and fair dealing demand that the cities of Adrianople and Kirk Kilisseh and the surrounding territory should become part of Bulgaria. Not only is the claim of Bulgaria worthy of most serious consideration on ethnic and historical grounds, but it would also seem that Bulgaria is entitled to have its claim to this territory favorably considered in view of its having been compelled to surrender purely Bulgarian territory and many thousands of Bulgars on its western boundary on no other grounds than the rather doubtful grounds of securing a strategic frontier for Serbia.

In connection with the proposed preferential right of the three great Mediterranean Powers to furnish advisers and instructors in certain zones, this Government feels that it is necessary for it to have more information as to the reason and purpose of such a plan before it can express an intelligent opinion.

There can be no question as to the genuine interest of this Government in the plans for Armenia, and the Government of the United

States is convinced that the civilized world demands and expects the most liberal treatment for that unfortunate country. Its boundaries should be drawn in such a way as to recognize all the legitimate claims of the Armenian people and particularly to give them easy and unencumbered access to the sea. While unaware of the considerations governing the decision reached by the Supreme Council, it is felt that special rights over Lazistan would hardly assure to Armenia that access to the sea indispensable to its existence. It is hoped that, taking into consideration the fact that Trebizond has always been the terminus of the trade route across Armenia and that Mr. Venizelos, on behalf of the Greeks of that region, has expressed their preference for connection with Armenia rather than Turkey, the Powers will be willing to grant Trebizond to Armenia.

In regard to the relinquishment by Turkey of her rights to Mesopotamia, Arabia, Palestine, Syria, and the Islands, this Government suggests that the method resorted to in the case of Austria be adopted, namely, that Turkey should place these provinces in the hands of the great Powers, to be disposed of as those Powers determine.

In regard to the arrangements for Smyrna, this Government is not in a position to express an opinion as the question is too important to be passed on with the limited information this Government has as to the exact arrangement that is contemplated and the reasons for the same.

The Government of the United States can quite understand the difficulties that have confronted the Supreme Council in dealing with the economic questions that present themselves for settlement in connection with this Treaty. It is easy to see that the problems are complex and fruitful of misunderstanding because of the conflicting interests involved, but this Government has every confidence that the problems will be dealt with in a spirit of fairness and with scrupulous regard for the commercial interests of victor, vanquished and neutral.

It is evident that there is yet much to be done before a comprehensive plan can be worked out and this Government will welcome further information on the subject of the economic clauses of this Treaty. Incidentally, the plan that has apparently been worked out by the Supreme Council in connection with continuation of concessions granted to aliens and giving the right to revise or cancel concessions on payment of indemnity, referred to in the eighth paragraph of Your Excellency's note, has grave possibilities and would seem to require careful elucidation.

Let me say in conclusion that it is the understanding of the Government of the United States that whatever territorial changes or

arrangements may be made in the former Ottoman Empire, such changes or arrangements will in no way place American citizens or corporations, or the citizens or corporations of any other country in a less favorable situation than the citizens or corporations of any Power party to this Treaty.

Accept [etc.]

BAINBRIDGE COLBY

763.72119/9747 : Telegram

The Ambassador in Italy (Johnson) to the Secretary of State

SAN REMO, *April 27, 1920—6 p.m.*

[Received 10:10 p.m.]

13. Following answer to the American note on Turkey was approved by the Supreme Council at the sitting Monday afternoon.[1] It was also decided that the note should be signed by the President of the Conference and forwarded through me:[2]

"The Allied Governments value the frank expression of the view of the United States Government. They have, however, necessarily deferred a reply to the note of the Secretary of the State Department until the terms of the treaty have been sufficiently formulated to be submitted to the Supreme Council now assembled at San Remo.

The Council notes that the United States Government do not propose to be represented by a plenipotentiary at the conference charged with negotiating the treaty of peace with Turkey, otherwise than in the capacity of an observer, from which it follows that the United States Government do not intend to become signatories to the treaty.

The Council welcomes, however, the assurance borne out by the presence of the United States Ambassador at Rome[3] that the United States maintain their close interest in the terms of the settlement, and is happy to take this occasion to afford the United States Government further news and explanations concerning the terms agreed upon before Mr. Johnson's arrival. The Allied Governments do not interpret Mr. Colby's desire for such information to mean that the negotiations with Turkey should be delayed until each of the particular points raised in his note has been exhaustively discussed with the United States Government, and an agreement with them arrived at. This would, indeed, in existing circumstances, have rendered all fruitful negotiations impossible.

The Allied Governments have never concealed their wish to see the United States associated in the preparation and signature of the treaty which is to embody the re-settlement of Turkey on a just and lasting basis. In the hope and expectation of American participation they had delayed the negotiations with Turkey at the risk of

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[1] Apr. 26.

[2] Text of note corrected to accord with a copy received July 21 as enclosure to despatch no. 1361 July 8, 1920, from the Ambassador in France (file no. 763.72119/10162).

[3] For papers concerning U. S. representation at San Remo conference, see vol. I, pp. 1 ff.

gravely imperiling the prospect of any satisfactory settlement being effected without a fresh recourse to arms. They fully understand and appreciate the reasons for which the United States Government have not, finally, seen their way to become parties to the treaty. The burden of the negotiations which has not been lightened by the long delay which has unhappily, but in the circumstances unavoidably, intervened has therefore fallen on the Allies alone. They have readily accepted it, and have endeavored to discharge an increasingly difficult duty to the best of their ability and judgment. They feel confident that the settlement which they are about to propose to the Turkish Government will be found in harmony with the principles and ideals which have inspired them, in common with the United States, in waging war and in concluding peace with Turkey's late allies. The desire of the United States Government that the treaty shall be fair and just to all parties is entirely shared by the Allied Governments. When, however, it is urged that the settlement shall be made with scrupulous regard for the interests of victor, vanquished and neutral, it must be remembered that there cannot in justice be equality of consideration on the one hand for the interests of the Turks who wantonly joined Germany and Austria-Hungary in their war of aggression, and on the other hand for the interests of the former subject races of Turkey whom the Allies, at immense sacrifices of life and treasure, have delivered from Turkish misrule.

The Allied Governments now pass to the consideration of the specific points raised in Mr. Colby's note.

1. With regard to Constantinople, the advantages and disadvantages of excluding the Sultan's Government from any territory in Europe have been very carefully weighed. An exhaustive examination of the problem in all its bearings had convinced the Allied Governments that, supposing such a policy to be in itself desirable, its adoption would entail upon them responsibilities, dangers and sacrifices which, with due regard to their own national interests and obligations, they are not in a position safely to incur. At the same time the Allied Governments recognize that the problem might have presented itself in a different light if those responsibilities, dangers and sacrifices were not to be borne by themselves alone but shared by the United States of America.

2. The southern frontier of Turkey has been drawn after due consideration not only of the ethnical but also of economic and geographical factors involved. The United States Government will readily recognize that, as in the case of the other treaties with enemy powers, it is impossible to isolate these factors. In the region of Cilicia, the problem is more than usually complicated by the intermingling of those racial elements whose interests it is the object of the Allied Governments to protect.

3. The Allies note with pleasure that the United States Government welcome the provisions made in the treaty for the representation of Russia on the Straits Commission. The United States Government would, however, appear to be under a misapprehension in supposing that the scope of this Commission is to be extended to the administration of Constantinople itself.

4. The question of the Straits has formed the subject of prolonged and careful consideration with a view to safeguarding free-

dom of passage, and it is hoped and believed that the United States Government will be in full accord with the provisions agreed upon. It has obviously been impossible to defer the drafting of so vital a chapter of the Turkish treaty pending the eventual consultation with Russia.

5. The decision of the Allied Governments to incorporate eastern Thrace, outside the zone of Constantinople, in the Kingdom of Greece, appears generally to conform with the views of the United States Government. The statistical data in the possession of the Allied Governments do not, however, support Mr. Colby's contention regarding the Bulgarian character of the cities of Adrianople and Kirk Kilisse and of the surrounding territory. On the contrary all sources, sometimes most widely divergent in other respects, agree in estimating the Bulgarian population as a marked minority compared with either Turks or Greeks. The effects of the inter-emigration clauses in the Turco-Bulgarian treaty of 1913 in diminishing the Bulgarian element in northern Thrace must also be borne in mind.

6. It has in the past been the policy of the Turkish Government to endeavor to play one European power off against the other with a view to retarding or evading the execution of necessary reforms. It is the desire of the Allies to prevent such tactics in the future. It is, therefore, the intention of the Governments of France, Great Britain and Italy to conclude a self-denying ordinance which shall avoid any semblance of rivalry or competition among themselves and which shall conduce to the more effective protection of the minorities still remaining within the Turkish Empire. It is needless to observe that such an ordinance only binds its signatories, and that there is nothing therein to impede the free entry for commercial and economic purposes of the nationals of other states into any part of the area mentioned in the Allied agreement.

7. The Allies share to the full America's interest in the establishment of an independent Armenia. It has been their earnest desire to accord to Armenia the territory which she might reasonably claim for her present needs and future expansion. The problem has proved to be the most difficult of the whole treaty and the obstacles with which the Allies have found themselves confronted have at times seemed almost insuperable. The matter is being fully and frankly dealt with in a separate communication to the United States.[2]

8. The Allied Governments are in accord with the United States in holding that Turkey should relinquish by the treaty her former rights over Mesopotamia, Arabia, Palestine, Syria and the Islands. The precision with which the arrangement for the future status of these territories can be formulated in the Turkish treaty has of necessity been governed by the necessity of expediting the conclusion of the treaty with Turkey—a conclusion which, as already pointed out, has been deferred to the limits of expediency.

9. The settlement of the district of Smyrna has proved one of the most difficult problems with which the Allied Governments were faced. The most impartial statistics at their disposal show that at a date prior to the forcible expulsion of the subject population from

[2] See telegram no. 10, Apr. 27, 1920, from the Ambassador in Italy, p. 779.

this area, a majority of Greeks existed in the sanjak of Smyrna and in some of the neighboring cazas. Past experience of the Turkish treatment of this Greek population, who have preserved in a marked degree and in spite of oppression their national characteristics, [has] led the Allies to grant their strong claim to be placed under Greek administration. On the other hand the interior of this region, in which the Turkish population gradually increases until it markedly predominates over the Greek, is connected economically with Smyrna. Indeed, Smyrna forms the present natural outlet for the trade of a large part of western Anatolia. Moreover, the Allied Governments have been advised that the immediate and complete cession of an area so closely linked with the economy of Anatolia and for so long a time an integral part of the Asiatic provinces of Turkey would in practice have aroused national feeling to a degree which might have rendered the rest of the contemplated settlement of Turkey difficult if not impossible.

The Allies have fully weighed these conflicting considerations and have agreed upon a settlement which, while placing a carefully defined area securely under Greek administration, safeguards Turkish access to the port of Smyrna and preserves Turkish suzerainty over the whole region during a period fully sufficient for the true wishes of the population to find expression.

10. The economic provisions of the Turkish treaty are in general harmony with those approved in the treaties with the other enemy powers. With particular regard to concessions in the former Turkish Empire, these were, as is well known, not infrequently obtained by dubious means, and in conditions inconsistent with the best development of the areas where they were located. The eventual right to cancel concessions has only been provided for in territories which are to be placed under the tutelage of the Principal Allied Powers. It has been felt unfair necessarily to saddle these new states with burdens which they had no voice in incurring. All that is sought in the present treaty is the right inherent in every sovereign state to cancel or resume concessions incompatible with the interests of the state; but in any such eventuality the fullest provision is made for the indemnification, if necessary by way of arbitration, of the concessionaire. With regard to the general financial provisions of the treaty, the aim of the treaty is to protect Turkey from the exploitation to which she is exposed by her financial necessities, and to establish a sound system of finance which will enable her to meet her obligations and to reap herself the advantage of her economic possibilities.

11. Finally, the Allied Governments take this opportunity of assuring the United States Government that the Allied Governments have in no way sought by the territorial changes and arrangements provided for in the Turkish treaty to place corporations or citizens in a privileged position as compared with American citizens or corporations. They feel, however, that they would be lacking in candor if they did not point out that as they are precluded from undertaking obligations on behalf of non-signatory powers, so also they are unable to stipulate conditions in their favor.["]

JOHNSON

MAINTENANCE OF AMERICAN RIGHTS UNDER THE CAPITULATIONS

867.0031/orig.

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *19 January, 1920.*
[Received February 24.]

SIR: The resumption of trade with Turkey was accomplished by notice published in the papers in Constantinople on the 26th of February, 1919, stating that the blockade had been removed beginning with February 21, 1919. This notice was published by the French Vice-Admiral, Commander of the Allied Squadron of the Mediterranean. The French Vice-Admiral at that time was the French High Commissioner. This notice did not state that the resumption of trade had been directed by the Supreme War Council at Paris. Further, I have ascertained that the Ottoman Government was given no further information regarding the resumption of trade than the above notice. The Ottoman Government was, therefore, under the impression that this was an act of the Allied Powers.

As soon as the blockade was raised I took up the question with the Allied High Commissioners by conversations, desiring to establish the fact that the United States was, by the provisions of the Supreme War Council, directly interested in the regulations affecting trade with Turkey, Bulgaria, Asia Minor and the ports of the Black Sea. At first there was no United States trade that was affected. In some individual cases where American interests were affected, I took them up immediately and had them satisfactorily adjusted. However, in order to establish the principle, I began direct negotiations with the Allied High Commissioners on 29 April, 1919, to the end that the United States should be properly represented in respect to the regulations of trade with Turkey, Bulgaria, Asia Minor and Black Sea ports. Finally, as set forth in enclosure (*a*),[3] I made a direct appeal for a proper recognition of United States rights on the ground that American interests were not being properly safeguarded under the arrangements then in force regulating trade with Turkey, Bulgaria and the Black Sea ports of Roumania and Russia. I followed this up by having personal conferences with the Allied High Commissioners, setting forth more in detail the matters that were interfering with trade, not only to the prejudice of the United States but of other countries.

On December 17, 1919, the Allied High Commissioners replied to my letter agreeing to the appointment of a Committee to be made

[3] Not printed.

up of a representative of Great Britain, France, Italy and the United States. In reply to this letter I appointed a member of my Staff to represent the United States on this Committee. The first meeting of this Committee was held on 20 December, 1919. The Committee was organized and it was decided to designate this committee as the "Advisory Trade Committee of the Associated Governments." It was arranged to have a revolving chairmanship. The United States representative on the Committee was able to have Mr. George Wadsworth, Vice Consul, designated as permanent Secretary of the Committee. I was very much gratified at this as the secretary is an important factor in the work of such a committee and by this arrangement United States interests should be properly looked out for.

The first thing taken up by the Committee was the question of the import taxes being collected by the Ottoman Government [not] in accordance with the Capitulations. The Capitulations had not been carried out in this respect and I had taken this matter up several times previously. The Allied High Commissioners had informed me that they were closing their eyes to this fact on account of the precarious condition of the Ottoman finances. I did not admit this as a proper reason and had so informed the Allied High Commissioners previously. About this time the Ottoman Government addressed a note to the Allied High Commissioners and to the United States High Commissioner suggesting the resumption of import taxes according to the Capitulations. However, the Ottoman Government desired to modify the method of levying the *ad valorem* duties in carrying out the provisions of the Capitulations. As a result of this request from the Ottoman Government a meeting was held by the High Commissioners of the Associated Governments. The result of this meeting was a joint note, see enclosure (*b*),[4] addressed to the Sublime Porte. No reply has been received from this note up to the present time.

In connection with the taxes charged by the Ottoman Government, which were specific taxes and not in accord with the Capitulations, I beg to state that United States interests were not injured by these specific taxes; therefore, the principle of the Capitulations was always maintained and the change to an *ad valorem* tax in accordance with the Capitulations has been claimed simply upon principle, and to provide for a change of conditions which would materially affect adversely American commerce. At the aforesaid conference the Allied High Commissioners pointed out that they did not consider they were in a position to demand of the Turkish Government an

[4] *Infra.*

enforcement of the Capitulations. This position assumed by them is very interesting. Of course the United States, at the present time, can make no demands that are not supported by the Allied High Commissioners. I have taken the ground, however, that whereas I have joined with the Allied High Commissioners in urging the Ottoman Government to resume taxation on imports in accordance with the Treaty, I will likewise take such independent steps along this line in urging the Ottoman Government to collect only such taxes as are legal. It is my opinion that the only legal taxes are those that were prescribed and in force before the war.

The real motive of the Turkish Government in not charging import taxes in accordance with the Capitulations is that they are standing out for the abrogation of the Capitulations. With their usual short-sighted policy they do not realize that they are prejudicing their cause by this attitude. They would improve their cause if they would return to the Capitulations, doing so under protest. Also, as the taxes now being paid are paid under protest, the Turkish Government will some day have to settle the bill. Likewise, they do not realize that the final revenue collected would be greater under the Capitulations than under the present method of specific taxes. I will continue to maintain the position towards the Ottoman Government that the United States expects the Capitulations to be carried out in respect to the import taxes, as well as all other matters. These questions have been taken up many times directly with the Ottoman Government in an informal manner as required in view of diplomatic relations being severed.

Respectfully,

MARK L. BRISTOL

[Enclosure—Translation [5]]

The American, British, French, and Italian High Commissioners to the Turkish Minister of Foreign Affairs

Con 124–20 [CONSTANTINOPLE,] *2 January, 1920.*

In reply to various proposals made to them with a view to substituting an *ad valorem* tariff for the specific tariff applied at present, the High Commissioners of France, Great Britain and Italy, with whom the High Commissioner of the United States of America has associated himself on this occasion, have the honor to bring the following to the knowledge of the Sublime Porte.

[5] File translation revised.

The specific tariff which was applied during the period of hostilities has never been recognized or admitted by the Allied and Associated Governments.

Consequently the Allied High Commissioners, who, after the conclusion of the Armistice, had demanded the reapplication of the *ad valorem* tariff and who had only tolerated the application of a specific tariff at the request of the Ottoman Government and as an exception and temporary measure, are disposed to receive a fresh demand from the Ottoman Government relative to the reapplication of the *ad valorem* tariff.

But the Ottoman Government today proposes that the import duties be fixed not as formerly after valuation at the customs house of the value of the goods imported and according to the price of their invoices, but according to the list of values of those goods established, in categories to be fixed in advance and to be revised monthly or quarterly.

The undersigned High Commissioners declare that they have not the power to accept the proposed modification in the manner of establishing the value of merchandise. The new system suggested would, in effect, amount to a radical change in the methods formerly applied with the consent of the Powers and would consequently involve serious consequences for the foreign commerce. It would therefore not only be necessary that the principle of the system before it is put into effect be submitted to the approval of the Powers but even the list of prices of the merchandise according to which the customs duties would be fixed, would have to be examined, considered and approved by the interested governments, which would necessarily involve long delays.

After having examined this important question the undersigned High Commissioners have decided not only to give their consent to the reapplication of the *ad valorem* tariff but to insist that this tariff be reestablished at the expiration of a period of ten days from the date of publication of the law or decree to be promulgated to that effect, and that it be applied under the same conditions as before the opening of hostilities.

They are, moreover, ready to submit for the examination and study of their respective Governments the proposed scheme for the establishment, by means of a list drawn up in advance, of the value of imported merchandise as well as the list itself of these values which was communicated to them.

[No signatures indicated]

867.512/66

The High Commissioner at Constantinople (Bristol) to the Acting Secretary of State

CONSTANTINOPLE, *9 March, 1920.*
[Received April 22.]

SIR: I have the honor to enclose herewith a copy of a Verbal Note forwarded by the United States High Commissioner, Constantinople, Turkey, to the Sublime Porte through the Swedish Legation in compliance with your cablegram No. 56 of 6 p.m. 17 February 1920.[6]

Respectfully,

MARK L. BRISTOL

[Enclosure—Translation [7]]

The Swedish Legation in Turkey to the Turkish Ministry of Foreign Affairs

CONSTANTINOPLE, *March 10 [6?], 1920.*

NOTE VERBALE

In accordance with instructions of the Government of the United States of America, the Royal Swedish Legation has the honor to inform the Imperial Ministry of Foreign Affairs of the following:

The Government of the United States of America declares that its citizens may not be subjected to any tax whatever without the previous consent of that Government. It recognizes that an American citizen owning real estate within the Ottoman Empire should be bound to pay taxes levied on real estate under the same conditions as an Ottoman subject in all cases other than those where exemption is accorded to schools and to religious and charitable institutions. This holds true during the present armistice except that the United States Government does not authorize American citizens to submit to what is called "taxe de guerre".

As to the *temettu*, the United States Government does not admit that it applies to citizens of the United States.

The same attitude is maintained in respect to the *ilmihaber* of the Hedjaz which has never been recognized by the United States Government.

The United States Government emphasizes particularly that it cannot recognize any method of taxation whereby the status of Americans may become in any way less favorable than that of other foreigners enjoying capitulatory rights in Turkey.

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[6] Cablegram not printed.
[7] Translation supplied by editor.

867.512/69

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *27 March, 1920.*
[Received April 29.]

SIR: Enclosure (*a*)[8] is a letter received from the Standard Oil Company, reviewing the general situation in connection with taxes being levied by the Ottoman Government on the principle that the Capitulations have been abrogated. During the entire time that I have been in Constantinople this special taxation, as well as all other taxation by the Ottoman Government not in accordance with the Capitulations, has continually been the subject of discussion and negotiation.

Thus far American interests have not suffered by virtue of the "Specific Taxes" levied by the Ottoman Government as contrasted with the taxes that would be levied under the Capitulations; 11% *ad valorem* required by the Capitulations. It was found that the Allied countries, through their High Commissioners, were not pressing the action of re-establishment of the *ad valorem* tariff as required by the Capitulations. It was obvious that this attitude was being taken because the interests of the countries concerned were not being affected.

It was only recently that the Allied High Commissioners were brought to address a joint note, in which the United States High Commissioner joined, insisting upon the Turkish Government re-establishing the *ad valorem* tariff. At the meeting when this note was prepared, the Allied High Commissioners admitted that they did not have the power to compel the Ottoman Government to restore these duties, and therefore the joint note was not worded as a demand.

It has also been determined quite reliably that the Allied High Commissioners previously to this had protested against the specific taxes as well as the so-called consumption tax, but evidently had done so as a matter of form. It has also been evident that the Allied High Commissioners have not made any strong protests against the consumption taxes because these taxes were on articles that did not affect the commercial interests of the Allies.

In view of the above facts, I have addressed a communication to the Ottoman Government through the Swedish Legation, as set

[8] Not printed.

forth in enclosure (*b*).[9] I will continue to press this matter with the idea of gaining as much as possible through diplomatic means pending more vigorous action as the Department may direct.

Respectfully,

MARK L. BRISTOL

[Enclosure]

The High Commissioner at Constantinople (Bristol) to the Turkish Minister of Foreign Affairs, through the Swedish Legation in Turkey

CONSTANTINOPLE, *27 March, 1920.*

The United States High Commissioner desires to bring to the attention of the Ottoman Government the joint note, dated 2 January, 1920, signed by the Allied High Commissioners of Great Britain, France and Italy and the High Commissioner of the United States.[10] The direct import of this joint note was to insist that the *ad valorem* tariff be reestablished and applied under the same conditions as before the opening of hostilities in the present war. The aforesaid note distinctly required action on the part of the Ottoman Government.

The attention of the Ottoman Government is directed to Verbal Note dated 6 of March, 1920, forwarded through the Royal Legation of Sweden, [11] wherein it was distinctly set forth that the United States Government does not admit of any method of taxation whereby the status of Americans is in any way less favorable than that of any foreign people enjoying capitulatory rights in Turkey.

The attention of the United States High Commissioner has been directed to a new modification in regard to municipal storage taxes and *octroi*, by publication of new legislation on date of 5 January, 1920. The taxes provided for in this *Irade* are referred to as "Consumption taxes or duties" under a law of municipal taxes. The Ottoman Government must recognize that these taxes, though under another name, are nothing more than an import tax.

It seems necessary to again bring to the attention of the Ottoman Government very distinctly that the United States Government does not recognize any form of taxation that is not in accordance with the capitulations as they originally existed. It is expected that the Ottoman Government will give this matter immediate attention.

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[9] *Infra.*
[10] *Ante,* p. 759.
[11] *Ante,* p. 761.

867.512/75

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *August 20, 1920.*
[Received September 16.]

SIR: I beg to forward this enclosure for the information of the Department.

Although the present Turkish Government has no power of control over the local Turkish authorities in the interior of Anatolia, it is considered proper to thus register with the only recognized Turkish Government a protest against such illegal taxation. I have informed all the Delegates of the United States High Commissioner in Turkey and furnished them copies of this verbal note.

If the Department desires to take any further action I request instructions.

Respectfully,

MARK L. BRISTOL

[Enclosure]

The High Commissioner at Constantinople (Bristol) to the Turkish Minister of Foreign Affairs, through the Swedish Legation in Turkey

CONSTANTINOPLE, *14 August, 1920.*

It has come to the attention of the United States High Commissioner that the Turkish local authorities in Talas, Cesarea, Marsivan, Sivas, Brusa and other interior places are demanding taxes upon property of the American Board of Commissioners for Foreign Missions, which properties were, by special *Irade* of His Majesty, the Sultan, placed upon the list of American educational and philanthropic properties. These properties were recognized by Imperial *Irade* as belonging to the "American Benevolent Foundation in Turkey". By virtue of said *Irade* of His Majesty, the Sultan, and the arrangement in connection with its issuance, these properties were exempted from taxes, thus placing these properties on a footing of equality with those under native auspices, used for like purposes.

The information received from various places in the interior indicates that this old arrangement, made even before the establishment of the constitution, is now being overlooked. The United States High Commissioner desires to register, in a most emphatic manner, a protest against the abrogation of this exemption from taxation of the properties herein referred to without consulting the United States Government. Under the circumstances the levying of these taxes is considered unjust and illegal. The Ottoman Govern-

ment is hereby informed that if the local Turkish authorities persist in requiring these taxes to be paid that they will be paid under protest, without prejudice to any claims to restitution.

Further, it has come to the attention of the United States High Commissioner that the local authorities of the Ottoman Government in Samsoun and other places in the interior are levying taxes in contravention of the Capitulations. The Ottoman Government has previously been informed that the United States Government does not recognize that the Capitulations have been abrogated.

The United States High Commissioner desires that the Ottoman Government will take the necessary steps to give the necessary orders to the local authorities of the Ottoman Government in order to protect the full rights of American citizens in all parts of the Ottoman Empire. It is requested that the United States High Commissioner be informed regarding the steps taken by the Ottoman Government.

667.003/90 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *October 27, 1920—6 p.m.*
[Received October 28—10:56 a.m.]

542. Allied High Commissioner[s] of Great Britain, France and Italy have approached me upon a proposition to restore in force the 11 per cent *ad valorem* tariff on all articles of import and in addition the consumption tax will continue to be levied on the same articles as heretofore. However, in case of objection by the United States to the consumption tax the Allies will agree to retain the present specific and consumption tax on [those] articles now paying consumption tax. Negotiations now proceeding and I will insist on complete reversion to the tax system in force before the abrogation of the capitulations. I will keep the Department informed of developments. Wythe[9] requests Bureau of Foreign Commerce be informed of anticipated tariff changes.

BRISTOL

667.003/90 : Telegram

The Acting Secretary of State to the High Commissioner at Constantinople (Bristol)

WASHINGTON, *November 15, 1920—6 p.m.*

86. Your 542, October 27, 6 p.m. In refusing to entertain either of the proposals framed by the Allied Commissioners you may informally state somewhat as follows:

[9] George Wythe, U. S. trade commissioner at Constantinople.

My Government learns with surprise that the continuance of the consumption taxes beyond the period of formal military occupation is being considered. These taxes upon four of the prime necessities of life impose an inhumane burden upon the poorest classes in Turkey and add to their acute poverty and misery. That they are in fact discriminatory against the legitimate interests of certain non-Allied nations, the United States in particular, is tacitly recognized by all concerned. Finally, the increase in revenue which will result from a reversion to the uniform 11 per cent destroys the revenue argument upon which they were purported to be based.

With the removal of the interference in the application of the Capitulations my Government asserts its right to take up directly with the Turkish Government any proposals to vary that regime. It takes this occasion to state that, if the revenue from the uniform 11 per cent actually falls short of the fiscal requirements of Turkey, it would entertain a proposal to resume at an early date the negotiations initiated by Turkey in 1914 looking toward an increase in the uniform rate to 15 per cent.

DAVIS

RAILWAYS

Proposal by the Deutsche Bank to Obtain Control of the Anatolian and Bagdad Railways for American Interests through Control of the Swiss Bank für Orientalische Eisenbahnen—Negotiations between the Deutsche Bank and the Sinclair Interests

867.77/317 : Telegram

The Commissioner at Berlin (Dresel) to the Secretary of State

BERLIN, *June 4, 1920—8 p.m.*
[Received June 6—8:09 p.m.]

562. From Coffin:[10]

"Von Gwinner of Deutsche Bank stated today that he can obtain control of Anatolian Railway for American interests for $6,000,000. The control would carry with it control of the Bagdad railway, Mersina-Adana line, port concessions at Haidar Pasha and Alexandretta and petroleum rights owned by Anatolia and Bagdad Railways. Anatolia Railway is now controlled by Bank für Orientalische [Eisen]bahnen, a Swiss corporation. The project is very drawn [*sic*] owing to the obvious political complications but it might develop very interesting features if the Turkish peace treaty protects neutral interests. Can you ascertain and cable me whether any American group would be sufficiently interested to investigate proposal fully in which case I will hasten forwarding of full details."

DRESEL

[10] William Coffin, U.S. consul general at Berlin.

867.77/319 : Telegram

The Commissioner at Berlin (Dresel) to the Secretary of State

[Paraphrase]

BERLIN, *June 16, 1920—11 a.m.*
[Received June 17—11:53 a.m.]

627. Following from Coffin:

Stock in the Bank für Orientalische Eisenbahnen of Zürich is distributed about as follows: 20 to 25 per cent to Swiss interests, 25 per cent to the Deutsche Bank, 10 to 15 per cent to other German interests, and the rest to small holders in Austria, France, Belgium, the Netherlands, and other countries. The German interests have never held majority control, although no doubt they have exercised effective control. Opinion of legal advisers to the Deutsche Bank is that article 260 of the Treaty of Versailles can not be applied to a Swiss corporation. In view of certain provisions in Turkish treaty referred to below, this interpretation seems to have been adopted by the Allied Governments.

Paid-in share capital of the Anatolian Railway is about 60,000,000 francs, of which about half is owned by the Bank für Orientalische Eisenbahnen. The bank was in actual control of Anatolia Railway for some years before 1914. The bank also controls the Mersina-Adana Railway and the Haidar Pasha port concession, but not the Bagdad Railway, the stock of which is owned principally in Germany, and amounts to 15,000,000 francs. Unquestionably article 260 is applicable to these German holdings in Bagdad Railway.

It has been proposed by the Deutsche Bank that the Bagdad Railway be bought by the Anatolian Railway. It seems probable, however, that the transfer could not be made to stand, and that consent of Allied interests is essential to effective control of Bagdad Railway.

I am informed by the Deutsche Bank that the most valuable oil interest involved in the proposed transaction is the contract between the Turkish Ministry of the Civil List and the Anatolian Railway of July 4, 1904, which grants the right to exploit oil on the Sultan's properties in the vilayets of Mosul and Bagdad.

When I sent cable no. 562, of June 4, provisions of the Turkish treaty were not known to me. Treaty of Versailles might have permitted arrangement proposed by Deutsche Bank and which was reported in my 562, but provisions of Turkish treaty appear to be a direct obstacle. Prompt action and vigorous support of United States Government are necessary if Americans hope to profit by the enterprise.

Deutsche Bank has furnished me with text of article 294 of the Turkish treaty, the substance of which is as follows:

The Ottoman Government shall, on the demand of the Principal Allied Powers, take over the enterprises, property rights, and interests of any Ottoman Company holding a railway concession on Ottoman territory as constituted by the present treaty. The Ottoman Government shall transfer in conformity with the advice of the Financial Commission the said enterprises, property rights, and interests including all interests which it may itself possess in the said railways or enterprises. This transfer shall be fixed by an arbitrator named by the Council of the League of Nations. The amount shall be paid to the Financial Commission which will distribute it, together with all sums received by virtue of article 293, to persons directly or indirectly interested in the company, the proportions payable to the nationals of Germany, Austria, Hungary, or Bulgaria to be paid to the Reparations Commission simultaneously established by the treaties of peace concluded with those countries. Any portion payable to the Ottoman Government shall be retained by the Financial Commission for the purposes provided for in article 236, part VII of the present treaty.

The object of this article appears to be to enable the Allies to manipulate interests of the Bank für Orientalische Eisenbahnen. This inference is borne out by fact that British and French interests have frequently approached Deutsche Bank in this connection.

Article 239 of the Turkish treaty provides also that the Ottoman Government may not, except by consent of the Financial Commission, grant any new concessions either to Ottoman subjects or to others. And article 240 provides that all property registered in the name of the Civil List or of the Ottoman Empire, and situated in territory which has been detached from Turkey, shall be transferred gratuitously to the states acquiring such territory.

DRESEL

867.77/320 : Telegram

The Commissioner at Berlin (Dresel) to the Secretary of State

BERLIN, *June 27, 1920—10 a.m.*
[Received June 28—1 : 52 p.m.[11]]

699. From Coffin:

Referring to my 627, June 16, 11 a.m. Please cable me whether in your opinion there is any probability that an American group will seriously consider the Mesopotamian project on the following basis.

The Deutsche Bank has made me the following proposal: That an American group place with it a firm order effective until end

[11] Telegram in two sections.

July to purchase 25,001 shares of the Bank für Orientalische Eisenbahnen at a price not to exceed $250 a share. If obtainable at a lower price the bank to receive half the difference. This would involve an expenditure of about $6,000,000 and would secure control of the Anatolian Railway, Haidar Pasha and Alexandretta port concessions and Mersina-Tarsus-Adana Railway. If full amount of shares should be unobtainable in open market Deutsche Bank is willing to sell from its own holdings at price named the shares necessary to complete a majority.

To obtain control of Bagdad Railway Deutsche Bank proposes that it purchase for the account of Anatole Railway the necessary number of shares either in Germany or abroad paying 80 percent of par value which is 500 Swiss francs. Anatole Railway has sufficient cash at Deutsche Bank to carry out such project which would involve no additional outlay for American group. Bank states that a board meeting of Anatole Railway to authorize the purchase can be held, provisions must be made by [*for*] canceling deal should the sale be upset by Allied Governments under article 260 of the Versailles Treaty.

Deutsche Bank desires to retain a minority interest in Bank for Oriental Railways and to make an arrangement whereby in proportion thereto it shall be represented in board and management of the bank and its affiliated companies and share in banking business and industrial orders. This is the reason why Deutsche Bank is making what seems to be so favorable a proposition since it is well aware that only by affiliation with an American group can it hope to retain an appreciable participation in its Mesopotamian investments.

The various enterprises involved represent an investment of about 140,000,000. Exclusive of Bagdad Railway investment amounts to about 40,000,000.

Concerning the oil interests, the property of the Anatole and Bagdad Railway concessions carry priority of right to mineral development in a zone 20 kilometers on each side of their trail. Anatole Railway also made a contract in 1904 with Turkish Ministry of Civil List covering development of an oil concession held by Civil List on its properties in vilayets of Bagdad and Mosul. The validity of this contract has been questioned by Turkish Government but private legal opinion holds that it is good and it was made the basis of a demand for a concession by the Turkish Petroleum Company in 1914 which was about to be granted when war broke out.

In 1912 the Turkish Petroleum Company was organized, this being a British corporation. In return for a minority interest Deutsche Bank made a contract with it to obtain the transfer to it of the oil rights of the Anatole and Bagdad Railways. The contract was not fulfilled with respect to third of transfer, although the bank furnished to the company all reports of its experts on oil resources of Mesopotamia and received its stock which was held at London agency of Deutsche Bank and has since undoubtedly been sequestered. German legal opinion holds that contract with Turkish Petroleum Company is void under article 299 of Versailles Treaty but in any event it seems to me that contract has no particular value since it was made with a German corporation concerning the rights of two Ottoman corporations and its provisions were not fulfilled with respect to its most important feature.

While the political and legal difficulties in the way of complete fulfillment of the project are considerable, almost all are contingent upon rights which are optional under the two treaties and the exercise of which could be materially influenced by the United States Government. Please keep me informed concerning the probabilities of American participation as British interests are endeavoring to carry through the deal for their own account and I believe have offered a small participation to the Germans. Events may make it necessary for the Deutsche Bank to make a quick decision which would be considerably influenced by the American attitude.

DRESEL

867.77/326 : Telegram

The Commissioner at Berlin (Dresel) to the Secretary of State

BERLIN, *August 9, 1920—9 a.m.*
[Received August 10—1:10 p.m.]

937. From Coffin:

My 918, August 4, 6 p.m.[12] The Swiss interests in the Orient Bank have become nervous because of imminent signature of Turkish peace treaty and a directors meeting has been called for August 17th. Von Stauss, director of Deutsche Bank, will attend meeting and states that he will endeavor to hold matters *in statu quo* but is not certain of his ability to do so. He asked me today to ascertain how Socony[13] would regard a 51 percent American participation with international minority interests composed of Swiss, Germans and Italians. He leaves for Switzerland tonight and will have an opportunity to sound

[12] Not printed.
[13] Standard Oil Co. of New York.

both these interests while there. My opinion is that matter is reaching an acute stage and Deutsche Bank will not be willing to await an American offer much longer.

. . . . . .

DRESEL

867.77/338 : Telegram

The Acting Secretary of State to the Commissioner at Berlin (Dresel)

[Paraphrase]

WASHINGTON, *November 22, 1920—4 p.m.*

1868. The following for Consul General Coffin:

Department's 1486 of October 7, and your 1293 of November 10.[14] Moore,[15] Meissner,[16] Chandler,[17] and Robinette [18] during a conference at the Department on November 4 received following statement of the Department's position: The participation of American interests would be viewed with satisfaction by the Department which believes that a diplomatic advantage would probably be gained thereby. But regarded as a business undertaking, participation involves risks and a question of title. Accordingly the Department must decline to take any action which might be taken to imply a guarantee of the soundness of the enterprise or the legal validity of its titles. The Department has under consideration the Tripartite Agreement. It is understood that the interests now contemplating purchase of control of the Anatolian railway would favor British participation. The Department would not object to such an arrangement if American interests obtain control.

DAVIS

867.77/344 : Telegram

The Acting Secretary of State to the Commissioner at Berlin (Dresel)

WASHINGTON, *November 22, 1920—7 p.m.*

1881. Following from Chandler is for Coffin and Deutsche Bank:

"Sinclair very much interested, but because inadequate personal knowledge from own engineers and limited time for investigation suggests following: Sinclair buy for American Syndicate enough shares to control, at price of option, make initial payment of $500,000 against deposit of shares in escrow with Chase National Bank,

[14] Neither printed.
[15] J. B. Moore, counsel for the Standard Oil Co.
[16] P. Meissner, representing the Deutsche Bank.
[17] P. M. Chandler, of Chandler & Co., Inc.
[18] E. B. Robinette, of Chandler & Co., Inc.

New York. Transaction to be completed and final payments to be made in three equal annual installments, after satisfactory reports on railways, oil and all other rights are received from Sinclair representatives and provided legal titles are approved by Sinclair, interest on deferred payments to be mutually adjusted. In case Sinclair not satisfied with reports or validity of titles $500,000 to be refunded without interest. Sinclair anxious to secure for American Syndicate interest in Orient Bank and affiliated companies, but only in full cooperation with you, and will require participation by Deutsche Bank. Cooperation with American Government is made prerequisite to any definite arrangement."

Transmission of above must not be construed as commitment of Department in any way and especially as indicating that Department would favor or support German interest or participation.

DAVIS

867.77/348 : Telegram

The Commissioner at Berlin (Dresel) to the Secretary of State

[Paraphrase]

BERLIN, *November 27, 1920—noon.*

[Received December 1—12:35 a.m.]

1348. The following is from Coffin for the information of Chandler:

The Deutsche Bank concurs in the desire to have connections with Sinclair, and to that end will make every possible concession. Definite arrangements must be concluded at once, however, as delay might endanger seriously its own interests. Under present conditions, Sinclair could not make inspections or surveys, and Sinclair must realize the great value that the German, French, and British interests attach to the oil fields. The bank is compelled to consider an alternative of partnership with American interests and to [safeguard] its own financial interests by selling to the British and the French. In order to facilitate matters the following proposal is made: the formation of a syndicate to purchase the control of the Orient Bank, Sinclair to receive 25 percent, including an option upon an additional 25 percent until the end of June 1921 with interest at 6 percent. Sinclair will by this arrangement be engaged for one and one-half million only. An additional one and one-half million would be underwritten by Austrian friends and the Deutsche Bank would underwrite the remaining 50 percent. Sinclair would have the leadership in this combination in spite of their minority holding at the beginning. Meissner should be informed.

The following is for the confidential information of Mr. Chandler: An extension of the option has been secured until Decem-

ber for consideration, and I am telegraphing Sinclair to go to Berlin at once upon his arrival. In my opinion no deal can be made which will leave option open for final refusal as you suggest but if this difficulty can be met, I am sure that an arrangement can be concluded that will be satisfactory. The presence of Mr. Sinclair in Berlin will facilitate negotiations greatly.

DRESEL

867.77/354 : Telegram

The Commissioner at Berlin (Dresel) to the Acting Secretary of State

[Paraphrase]

BERLIN, *December 21, 1920—1 p.m.*
[Received December 22—5 : 55 p.m.]

1451. From Consul General Coffin:

It was impossible to arrange meeting with Sinclair before he left for New York on December 15, and there was no conference at Paris as proposed. But Archibald Roosevelt, Sinclair's confidential representative, has come to Berlin to investigate the matter on the ground. He has not, however, been given power to negotiate. On December 14, Robinette was informed by Sinclair that either Requa [18] or himself would very soon return from America. Von Stauss is absent in Brussels and nothing is being done now. It is the expectation of Von Stauss that while he is in Brussels, British bankers will discuss the matter with him, but he particularly desires to come to some arrangement with American interests. If Sinclair returns next month it is my belief that he will have an opportunity to negotiate. Upon return of Von Stauss I will telegraph further developments.

DRESEL

867.77/355 : Telegram

The Commissioner at Berlin (Dresel) to the Acting Secretary of State

[Paraphrase]

BERLIN, *December 29, 1920—11 a.m.*
[Received December 31—5 : 56 p.m.]

1474. Yesterday a conference was arranged with Deutsche Bank, and Roosevelt is now telegraphing to Sinclair urging immediate return to Europe in order to carry on negotiations personally. A con-

[18] Mark L. Requa, vice president, Sinclair Consol. Oil Corp.

tingent arrangement is not acceptable to the bank, which proposes instead that a syndicate be formed to control Orient Bank, the Americans paying in one and one-half million dollars and receiving a quarter interest in syndicate with option to buy full control. Meanwhile the Americans are to exercise control of syndicate. The bank is prepared to make liberal concessions in order to satisfy Americans, and it is my belief that definite arrangements can be made if Sinclair and Von Stauss meet.[19] Stauss had conference with Sir Albert Stern in Brussels. Stern regards British position in Mesopotamian project as very strong. The conference was very short and Stern asked to see Stauss again early next month. Stauss plans, therefore, to leave here about the 3d of January, and does not expect to return until conclusion of Brussels conference which convenes on the 10th. Information which I have from other sources, and which I shall try to verify, regarding position of Great Britain does not accord with Stern's attitude. Request that foregoing be communicated to Chandler & Co.

DRESEL

EFFORTS ON BEHALF OF THE ARMENIANS

Decision by the Supreme Council to Recognize the Government of Armenia—Recognition by the United States, April 23, 1920, of the "De Facto" Government of the Armenian Republic—The Supreme Council's Appeal to the Government of the United States to Accept a Mandate over Armenia, and Its Appeal to the President to Arbitrate the Boundary between Armenia and Turkey—Text of the President's Boundary Decision—Undertaking by the President at the Request of the Council of the League of Nations to Use His Good Offices to End Hostilities between the Armenians and the Turks—Delay in the Publication of the President's Boundary Decision

763.72119/8667 : Telegram

The Ambassador in France (Wallace) to the Secretary of State

[Extract]

PARIS, *January 13, 1920—10 a.m.*

[Received January 14—1:33 a.m.]

121. Mission. The Council of Ministers for Foreign Affairs met Saturday morning January 10 at noon in the Clock Room at the Quai d'Orsay.

. . . . . .

5. Upon the suggestion of Lord Curzon, the Council decided that the Principal Allied and Associated Powers would jointly recognize the Governments of Georgia and Azarbaidjan as *de facto* Governments subject to the reservations formulated by the American and

[19] The bank's proposal was not accepted by Mr. Sinclair, who withdrew his own offer early in 1921.

Japanese representatives that they would request the instructions of their Governments on the matter. . . .

. . . . . .

WALLACE

763.72119/8740 : Telegram

The Ambassador in France (Wallace) to the Secretary of State

[Extract]

PARIS, *January 19, 1920—7 p.m.*
[Received January 20—12:02 p.m.]

186. Mission. The Supreme Council met this morning, Clemenceau in the chair. In addition to Lloyd George there were also present for Great Britain Curzon, Winston Churchill, Long, Admiral Beatty and Marshal Wilson; Foch was also present.

. . . . . .

After the representatives of Georgia and Azerbaidjan had left and after some discussion, which will be reported in a separate telegram,[20] the following decision was taken:

"It is agreed: (1) that the Government of the Armenian State shall be recognized as a *de facto* government on the condition that this recognition in no way prejudges the question of the eventual frontier. . . .

. . . . . .

WALLACE

860j.01/192 : Telegram

The Acting Secretary of State to the Ambassador in France (Wallace)

WASHINGTON, *January 24, 1920—10 p.m.*

188. Mission. Your 186 January 19, 7 p.m.

As regards Armenia, this Government concurs in the decision taken by the Council to recognize the government of the Armenian state as a *de facto* government on the condition that this recognition in no way prejudges the question of the eventual frontiers. The Secretary of State will so notify the Armenian representative in Washington.

While this Government appreciates the point of view of the Allied Governments in wishing to render material assistance to Georgia and Azerbaijan, it cannot but feel that the question of the recognition of these governments as *de facto* governments raises

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[20] Not printed.

issues of great scope and importance. The possible reaction on the minds of the Russians hitherto friendly to the Allied and Associated governments of such a recognition, which may be advertised by the Moscow government as the beginning of an attempt to dismember Russia, demands the further and very serious consideration of the American Government.

POLK

860j.01/192b : Telegram

The Acting Secretary of State to the Ambassador in France (Wallace)

[Paraphrase]

WASHINGTON, *January 27, 1920—6 p.m.*

200. Through an inadvertence the Department sent you telegram no. 188 of January 24, before the President had sanctioned the decision in the question of the recognition of Armenia. No. 197 of January 26 [20] was accordingly sent to cancel instruction in no. 188. Notices in the press seem to indicate, however, that you have already communicated to the Supreme Council at Paris the substance of Department's 188. It is desired, therefore, that you will give your best endeavors to modify the strength of any statement you may have made before the Supreme Council on the basis of the Department's 188. It is suggested in this connection that you could give emphasis to the fact that, in stating its concurrence in the decision of the Supreme Council, on which however the United States is not represented, this Government intended to indicate that it does not oppose that decision; but that the actual recognition of the alleged Government of Armenia as a *de facto* government is a step to which this Government is not in a position to pledge itself. There should be conveyed, in effect, the impression that the communication of the United States Government was merely an expression of sympathy for the Armenian people and does not in any manner affect the political relations of this Government with Armenia.

The text of the statement which you made before the Supreme Council should be communicated to the Department at once.

The American press has been given the following statement, which is appended for your guidance:[21]

"Armenia Not Recognized"

"The United States has reached no definite conclusions as to the recognition of the republic of Armenia, it was stated authoritatively

[20] Not printed.

[21] Remainder of telegram not paraphrased.

in Washington last night. The relations of the United States toward the Armenian state to be created under the Turkish peace treaty have been under consideration by this Government, it was added, but never has a decision been made to accord recognition to the proposed state, as Paris dispatches quoted Hugh C. Wallace, United States Ambassador to France, as having announced to the Council of Ambassadors.

Recognition of a state the boundaries of which have not been defined finally would be unusual, it also was said."

Please repeat to London as Dept's 80.

POLK

860j.01/196a : Telegram

The Acting Secretary of State to the High Commissioner at Constantinople (Bristol)

WASHINGTON, *January 27, 1920—7 p.m.*

29. As United States has not as yet adhered to decision of Supreme Council recognizing the independence of the Armenian Republic, or that of Georgia and Azerbaijan you are authorized to deny any report that this government has accorded such recognitions. Repeat to Haskell [22] for similar action.

POLK

860j.01/193 : Telegram

The Ambassador in France (Wallace) to the Secretary of State

PARIS, *January 28, 1920—noon.*

[Received 1:40 p.m.]

280. Mission. Your 197, January 26, 7 p.m.,[23] received this morning. Formal notification to Armenian Delegation of action of Council granting *de facto* recognition was made yesterday by M. Millerand as reported in my 276, January 27, 7 p.m.[23]

I have requested Foreign Office to inform Armenian Delegation immediately that there has been a misunderstanding and that American participation in action taken should be canceled.

In view of what has occurred request Department's specific approval of this action and further instructions if any are deemed necessary.

WALLACE

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[22] Col. W. N. Haskell, Allied High Commissioner in Armenia.
[23] Not printed.

860j.01/195 : Telegram

The Ambassador in France (Wallace) to the Secretary of State

[Paraphrase]

PARIS, *January 28, 1920—9 p.m.*
[Received 9:34 p.m.]

283. Mission. Referring to Department's 200 of January 27. At Conference of Ambassadors on January 26, statement was made as follows:[23]

"I am in receipt of instructions from my Government with regard to the decision taken by the Council of Heads of Governments to grant *de facto* recognition to the Republic of Armenia. My Government concurs in the decision taken by the Council on the condition that this recognition in no way assured her [*prejudges*] the question of the eventual frontiers. I may add the Armenian representative in Washington is being notified accordingly.

"While my Government appreciates the point of view of the Allied Governments in wishing to render material assistance to Georgia and Azerbaidjan, it cannot but feel that the question of the recognition of these Governments as *de factos* raises issues of great scope and importance. The possible reaction on the minds of the Russians, hitherto friendly to the Allied and Associated Governments, of such a recognition which may be emphasized by the Moscow Government as the beginning of an attempt to dismember Russia, demands the further and very serious consideration of the American Government."

This afternoon I received a call from the president of the Armenian Delegation who came to inquire how the matter now stands. The information which the Foreign Office had already communicated to him was confirmed by this Embassy.

WALLACE

860j.01/242a

The Secretary of State to the Representative of the Armenian Republic (Pasdermadjian)

WASHINGTON, *April 23, 1920.*

SIR: Referring to communications heretofore received from you on the subject of the proposed recognition of your Government by the Government of the United States, I am pleased to inform you, and through you, your Government, that, by direction of the President, the Government of the United States recognizes, as of this date, the *de facto* Government of the Armenian Republic.

This action is taken, however, with the understanding that this recognition in no way predetermines the territorial frontiers, which, it is understood, are matters for later delimitation.

Accept [etc.]

BAINBRIDGE COLBY

[23] Quotation which follows is not paraphrased.

763.72119/9749 : Telegram

The Ambassador in Italy (Johnson) to the Secretary of State

SAN REMO, *April 27, 1920—11 a.m.*
[Received April 28—12:19 p.m.]

10. Referring to my telegram number 5, San Remo, and my telegram number 11, San Remo.[24] Supreme Council at session Monday afternoon [25] approved the draft despatch to President Wilson regarding Armenia presented by Lord Curzon. It was decided that despatch should be signed by Nitti and transmitted through me. Note reads as follows:

"In the note of this date [26] which is being addressed to the United States Government in response to the note of the latter, dated March 26th [*24*],[27] a passing reference alone has been made to the subject of Armenia and a statement is added that a separate communication will be made to the United States Government on the subject. The following are the views which it is the desire of the Supreme Council to submit for the consideration of that Government.

At an early stage in the discussions which have been proceeding with regard to the Turkish treaty, first in London and afterwards [in] Paris, an inquiry was addressed by the Allied Conference to the Council of the League of Nations, who were known to be greatly interested in the future of Armenia, as to what might be the degree of assistance that they would be prepared to offer towards the realization of the independence and security of the prospective Armenian State.

It was not contemplated to invite the League of Nations itself to assume a mandate for Armenia for the sufficient reason that [that] body is neither a state nor has the army or the finances to enable it to discharge such a duty. The Council of the League in their reply, while indicating the fullest sympathy with the object of the Allied Powers, themselves pointed out that this could best be assured if either a member of the League or some other power could be found willing to accept the mandate for Armenia.

The Supreme Council in considering this reply were at once reminded of the conviction long entertained by them that the only great power which is qualified alike by its sympathies and its material resources to undertake this task on behalf of humanity is America. It has indeed been rightly described in Mr. Colby's note as 'the demand and expectation of the civilized world'. Never had the Supreme Council forgot[ten] that the inclusion of a liberated Armenia among the objects for which the Allied and Associated Powers fought and won the war nowhere received more eloquent expression than in the speeches of President Wilson.

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[24] Neither printed.
[25] Apr. 26.
[26] See telegram no. 13, Apr. 27, 1920, from the Ambassador in Italy, p. 753.
[27] See note of Mar. 24 to the French Ambassador, p. 750.

Accordingly the Supreme Council now address a definite appeal to the United States Government to accept the mandate for Armenia. They do so, not from the smallest desire to evade any obligations which they might be expected to undertake, but because the responsibilities which they are already obliged to bear in connection with the disposition of the former Ottoman Empire will strain their own capacities to the uttermost and because they believe that the appearance on the scene of a power emancipated from the prepossessions of the Old World will inspire a wider confidence and afford a firmer guarantee for stability in the future than would the selection of any European power.

The United States Government might well enquire what is the scope of the obligations which they are invited to accept and this involves the boundaries of the new state. The question is one in which it is in the power of that Government itself to formulate a reply.

In the course of the discussions that have been proceeding there has been no problem more earnestly debated or more difficult of solution than the boundaries best consonant with the interests of the Armenian state. The President of the United States has consistently pleaded the cause of a larger Armenia; considerations with which the President is already familiar have inevitably compelled the partial curtailment of these aspirations; and the prospect of creating an Armenia which should include Cilicia and extend to the Mediterranean has for long been abandoned as impracticable.

There remained the questions what portions of the vilayets of Erzerum, Trebizond, Van and Bitlis, still in the possession of the Turkish authorities, could properly and safely be added to the existing Armenian state of Erivan and what means of access to the sea should be provided in order to ensure to the new Armenia a self sufficing national existence. In other words it remained to be settled what should be the exact boundaries on the west and south which should be inserted in the peace treaty with Turkey. The boundaries of Armenia on the northwest and north and northeast with the adjoining states of Georgia and Azerbaijan it is hoped to settle by a mutual agreement between these Republics. In any case these do not call for mention here.

Upon the above questions there was much to be said upon both sides which need not be quoted in this note. Suffice it to say that an appeal to the decision of an independent and absolutely impartial arbiter was recognized as the best available solution and hence it was decided to include in the appeal to the President of the United States a request to this effect. Whatever may be the answer of the United States Government on the larger subject of the mandate it is earnestly hoped that he will, in the interests both of Armenia and of the peace of the East, accept this honorable obligation. In this expectation it has been agreed:

(*a*) To make an appeal to President Wilson that the United States of America should accept a mandate for Armenia within the limits set forth in section 5 of the first print of the draft treaty of peace with Turkey;

(*b*) that whatever may be the answer of the United States Government on the subject of the mandate the President of the

United States should be asked to arbitrate on the boundaries of Armenia as set forth in the draft article below;

(*c*) that an article in regard to Armenia should be inserted in the treaty of peace in the following sense:

Turkey and Armenia and the other High Contracting Parties agree to refer to the arbitration of the President of the United States of America the question of the boundary between Turkey and Armenia in the vilayets of Erzerum, Trebizond, Van and Bitlis and to accept his decision thereupon as well as any stipulation he may prescribe as to access to the sea for the independent state of Armenia.

Pending the arbitration the boundaries of Turkey and Armenia shall remain as at present.

The boundaries of Armenia on the north and east, that is, between Armenia and Georgia, and between Armenia and Azerbaijan shall be laid down by the Supreme Council at the same time as those between Armenia and Turkey, failing a spontaneous agreement on this subject between the three Caucasian states.

Irrespective of the mandate and the frontiers, there remain certain additional considerations to which the Supreme Council feel impelled to call the sympathetic attention of the United States Government. In whatever hands the destinies of Armenia may be placed an interval must inevitably occur after the conclusion of the treaty with Turkey in which the security and even the existence of the new state will be in peril unless it can be assured of extraneous aid. Its immediate needs will be two in number, provision for the military forces required to defend it against external attack and provision for the financial means that will enable it to constitute an orderly administration and to develop its own economic resources. In the last resort both of these necessities may be summed up under the heading of financial operations. The question of military assistance is not thought to be so formidable as might at first sight appear to be the case. The forces at present possessed by the Armenian Republic of Erivan have hitherto been to a large extent diverted if not dissipated in the unfortunate disputes with its neighbors on the north and the east. When these are composed as may be hoped from an arrangement quite recently concluded between the three Caucasian Republics there will be nothing to prevent a reconstituted Armenia from devoting its undivided energies to the vindication and maintenance of such frontiers as may be allotted to it. The question has been anxiously examined of the extent to which the Allied Powers might themselves be able, by the movement of troops, to assure the prompt execution of the territorial clauses of the treaty in the region of Armenia. Arms and ammunition are already being provided, but it would raise false hopes on the part both of the Armenians and of their friends in all parts of the world if it were generally believed that the Allied Powers could themselves spare troops for this purpose.

The responsibilities entailed upon them in addition to the heavy obligations in Europe and elsewhere by the occupation or administration of territories that formerly belonged to the Turkish Empire and by the necessity of enforcing the treaty in those parts of Turkey which are more accessible to their arms will render impossible the assumption of military responsibilities additional to the tremendous burdens they have already assumed. Unless, therefore, Armenia can obtain immediate assistance from some other power she shall be forced to rely in the main so far as military defense is concerned upon the forces which she already possesses, augmented by such instructor[s] and munitions as the Allies can supply. Were, however, a volunteer contingent or a volunteer corps to be raised for her defense in America or in any foreign country it would no doubt be welcome and invaluable incentive to her own patriotism, but the offer of trained and technical assistance and material aid on an organized scale by a great civilized state would be exclusively [*exceedingly?*] opportune and would enable her to employ her own manhood in her own defense in an effective way. It would be of the greatest value to know if the American Government or the American people will be at all disposed to render her this service.

The provision of credits, however, is even more urgent. The Council of the League of Nations have had it in mind we believe to recommend [to] the Assembly of the League to favor a loan to Armenia from all countries who are members of the League. The Supreme Council have of course no knowledge of the response that may be returned to such an appeal if it be made, but even assuming a favorable reply an interval must occur before effective aid could be given. In this manner it is uncertain whether the response would be adequate to the need and in any case the appeal cannot, for reasons which are known, be addressed to the United States Government. In these circumstances help might fail to be forthcoming in the very quarter where sympathy for the future Armenian state is most sincere and active, where the burdens entailed by the war are believed to be less prodigious than in any of the other recently belligerent countries, and where the resources of a state and a community at once powerful and wealthy have been least impaired.

It is not for the Supreme Council to suggest to the United States Government by what means, whether by State action or by contributions public or private, the desired financial aid to the Armenian Republic could best be afforded. An American loan of a few millions sterling might be the means of setting Armenia at once upon her feet. On the other hand it is believed that there are many organizations and societies in America that would gladly contribute to so excellent a cause, nor should Armenians themselves be backward

in coming forward in the hour of their country's need. They cannot expect and they do not desire to depend exclusively upon the mercy or charity of others. Wealthy Armenians will, it is felt sure, contribute largely to that resuscitation of their country for which they have waited so patiently and amid sufferings so cruel and prolonged and there may well be a universal emulation in responding to an appeal than which a more deserving can rarely have been addressed to the heart and conscience of mankind. It is not desired to urge upon the United States Government any unreasonable haste in arriving at a decision upon the momentous questions that have been submitted to them but it will be obvious to them that so long as these matters are held in suspense the anxieties of Armenia will be extreme and the pacification of the Eastern world may be seriously and even disastrously postponed. It would accordingly be an immense relief to all the parties concerned if the United States Government were in a position to give as early a reply as may be convenient to all or any of the questions which have been submitted to them nor can the Supreme Council conclude without expressing a most earnest hope that that reply may be affirmative in character. (Signed) Nitti."

JOHNSON

763.72119/9749 : Telegram

The Secretary of State to the Ambassador in France (Wallace)

[Paraphrase]

WASHINGTON, *May 17, 1920—7 p.m.*

949. Referring to telegram from Johnson, San Remo, no. 10, April 27. The request of the Supreme Council has been considered by the President, and he desires that the Powers represented at San Remo be informed through the proper channels of his willingness to undertake to act as arbitrator for the Armenian boundaries. He gladly accepts this opportunity to contribute to the welfare of the Armenian people, and you are requested to convey his acceptance to the Powers concerned.

COLBY

860j.01/280

The Secretary of War (Baker) to the Secretary of State

WASHINGTON, *June 2, 1920.*

MY DEAR MR. SECRETARY: In reply to your letter of May 26, 1920,[27] requesting the views of the War Department as to the strength of

[27] Not printed.

the American forces of occupation that would be needed for the successful carrying out of a mandate for Armenia, I beg to inclose herewith a memorandum which embodies the views of the Department upon this subject.

I am [etc.] NEWTON D. BAKER

[Enclosure]

Memorandum by the Secretary of War (Baker)

WASHINGTON, *June 2, 1920.*

1. The report of General Harbord, Chief of the American Military Mission to Armenia,[28] contemplated that Trans-Caucasia and the whole of the former Turkish Empire, less Syria, Palestine and Mesopotamia, would be included in the terms of a single mandate. For this territory General Harbord proposed an initial American force of occupation of 59,000 men, to be reduced subsequently by about 50 per cent as a result of the organization of a native constabulary.

2. The area of the proposed state of Armenia is from 55,000 to 60,000 square miles, or about one-sixth of the area considered by General Harbord. Its population is estimated as approximately 3,000,000.

3. The War Department is of the opinion that pending the organization of a native constabulary, an American force of occupation of the following strength and composition, would be sufficient to insure domestic order in Armenia, and to protect its frontiers against the incursions of irregular or unorganized forces from adjacent territories, viz;

One Infantry Division, less 1 regiment of 155 mm. howitzers, plus a third brigade of infantry . .		21,152
Attached troops:—		
1 Railway Battalion	1,000	
2 Aero Squadron	400	
Additional Sanitary Personnel	1,000	
Service of Supply	2,500	
Attached for duty with native constabulary . . .	500	
Total Attached Troops		5,400
Grand Total		26,552
or in round numbers		27,000

4. As a result of the organization of native constabulary, it should be possible to reduce the above force substantially by the end of two years, and to about 10,000 men by the end of the third year.

[28] For the report of General Harbord, Oct. 16, 1919, see *Foreign Relations*, 1919, vol. II, p. 841.

5. As to organized external aggressions against Armenia, if the League of Nations functions in accordance with the terms of the Covenant, the protection of Armenia against such aggressions will devolve upon all the member states of the League. In any event it may be said that it will be impracticable to maintain in Armenia American forces of occupation of such size as to insure the protection of that state against invasions in force. At present the greatest danger in this respect is that offered by the Bolshevists. A Bolshevist force of from 65,000 to 75,000 men has been advancing southward through the Caucasus and has recently occupied Baku, and in newspaper dispatches of this date is reported to have entered Russian Armenia.

NEWTON D. BAKER

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123 H 271/4

The Chairman of the American Relief Administration (Hoover) to the Secretary of State

NEW YORK, *July 26, 1920.*

DEAR MR. SECRETARY: On July 5th, 1919, in order to meet the desperate need of the Armenian population in Transcaucasia and the Armenian Republic, at my suggestion and in accordance with the wishes of the President, Colonel William N. Haskell was appointed High Commissioner to Armenia, representing the United States, Great Britain, France and Italy. His commission was signed by M. Clemenceau as President of the Peace Conference.

The authority centered in the High Commissioner as Joint Representative of the several Allied Powers gave him the powerful support which he required to overcome those racial and political antagonisms, the natural outgrowth of the birth of new States, which were threatening the total annihilation of the Armenian people. The work of this Mission was also to ascertain and provide requirements up to the point when the succeeding crops would render general contributions of food stuffs from overseas unnecessary; to take over and extend the charitable work of the Near East Relief in caring for refugees, orphans and destitutes; to represent the American Relief Administration; to administer the charitable relief from all other countries; to assist in re-establishing stable conditions in the Republic of Armenia.

Colonel Haskell, supported by an efficient and devoted staff, has carried out his difficult duties in an admirable manner. Flour was the most urgent food requirement of this region. The 41,000 tons contributed through the United States Grain Corporation and the

51,000 tons of the American Relief Administration have been delivered. The amount is sufficient to supply essential needs until the next harvest, which it is estimated will then carry the country for six to eight months. Refugees have been fed and clothed and to a considerable extent restored to useful occupations. Agriculture has been re-established. Forty hospitals and seventeen orphanages have been opened or put in order and provisioned for one year ahead. Over fifty thousand children have been fed daily.

Under the direction of the American Relief Administration and including the period of the administration of the Allied High Commissioner, there was contributed from all sources for the aid of the Armenian people in this region one hundred and eight thousand tons of food and supplies. This was in the form of Governmental credits or private donations the approximate values of which were as follows:

From Great Britain

Besides a small amount of private charity of which we have no record, there was furnished on the part of the British Government in the form of freight credits a total of	$560,000.

From the United States

1. American Relief Administration covering allocation from the $100,000,000 relief appropriation, March 1919, to date, credits .	$8,075,000.	
2. Grain Corporation Credits	4,725,000.	
3. American Red Cross donations . . .	2,100,000.	
4. Commonwealth Fund donations . . .	750,000.	
5. Near East Relief donations	4,802,000.	
Total from the United States		20,452,000.
Grand total		$21,012,000.

Aside from the great work of reconstruction, the repatriation of the many thousands of refugees, and the benevolent activities which must for years be carried on by the Armenian Government, for the present the most appealing work for any outside relief organization must be the care of hospitals, orphanages, schools and a certain number of destitute.

Colonel Haskell has successfully performed the task for which he was appointed. The orphanages, hospitals and other charities in the Armenian Republic and Transcaucasia have been turned over to the management of the Near East Relief. All the American Military Staff are to be withdrawn at once. He proposes, as of August first when the few remaining relief measures of the Gov-

ernment program are completed, to present his resignation to the Council of Ambassadors in Paris.

With Colonel Haskell's resignation my intervention in the management of this branch of European Relief will also come to an end.

I respectfully suggest, Mr. Secretary, that the State Department notify the Council of Ambassadors in Paris of the resignation of Colonel Haskell to be handed to them August 1st, 1920.

Faithfully yours,

HERBERT HOOVER

760j.6715/40

The British Ambassador (Geddes) to the Secretary of State

No. 491 WASHINGTON, *August 6, 1920.*

SIR: I have the honour, on instructions from my Government, to enquire whether the President's decision as to the boundaries of Armenia, may be expected in the near future.

I understand that this question has become a matter of urgency owing to the imminent signature to the Peace Treaty with Turkey, the execution of which in part, at least, depends on the President's decision.

I have [etc.]

(For H. M. Ambassador)
MAURICE PETERSON

760j.6715/40

The Secretary of State to the British Ambassador (Geddes)

WASHINGTON, *August 13, 1920.*

EXCELLENCY: I have the honor to acknowledge the receipt of your note No. 491 of August 6th, inquiring whether the President's decision as to the boundaries of Armenia may be expected in the near future.

The collection of pertinent data on this subject, and the examination and verification of various records, historical and cartographical, is a preliminary to the consideration of the main question which, as you are of course aware, requires ample time. This work is in progress.

Our impression has been that as Article 89, Section VI, of the Treaty of Peace with Turkey provides that "Turkey and Armenia as well as the other High Contracting Parties, agree to submit to the arbitration of the President of the United States, the question

of the frontier to be fixed between Turkey and Armenia", the decision of the President would only follow the notification to him of the signed agreement of the interested parties.

Accept [etc.] BAINBRIDGE COLBY

760j.6715/23 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *September 18, 1920—5 p.m.*
[Received September 19—9:27 p.m.]

493. Section 2.[29] The Nationalist movement was organized as a protest against the Greek occupation of Smyrna, and to resist any similar aggression of the Armenians in the eastern vilayet[s]. This feeling against the Greeks has been increased, and is the only thing that could have held the Nationalists together so long. Therefore, it is safe to state that the feeling against Armenia gaining any territory in the eastern vilayets is most bitter and stronger than ever before. No one could believe that the Turks would evacuate any territory ceded to Armenia without being forced to make such evacuation. The Nationalists, who represent practically the vast majority of the Turks, do not recognize the treaty signed by the Constantinople Government and it is most probable that they will have to be forced by the Allies, assisted by Greece, to recognize the treaty. The Turkish treaty gives to Armenia only such portions of the eastern vilayets as may be decided by the arbitration of the President. This would seem to impose upon him the responsibility for enforcing the evacuation of territory thus given to Armenia. Such regions are practically empty of Armenians to-day and repatriation from the Erivan Republic would result in disorder unless protection were assured. End of section 2. Repeated to Paris.

BRISTOL

760j.67/– : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *October 10, 1920—noon.*
[Received October 12—2:57 a.m.]

520. Following from Moser, American Consul Tiflis:

"October 4, 5 p.m. Armenian Government informed me tonight that Armenia is in a state of war against Turkey. A general

[29] Telegram in three sections; sections 1 and 3 not printed.

mobilization is called for all males over the age of 35 and the railroad turned over to military authorities. It is reported that Georgia has agreed to assist Armenia and to compel the mobilization for service in Armenia of all men in Georgia according to their nationality. The Turks occupied [Sarikamish] which contain[s] considerable stores of the Near East Relief and some anxiety is felt for the personnel of the Near East Relief especially at Kars. Tonight military patrol established at Tiflis to guard police station and government institutions from possible Bolshevik demonstration in support [of] Turk Nationalists. Moser."

BRISTOL

760j.6715/47 : Telegram

The Ambassador in France (Wallace) to the Secretary of State

PARIS, *October 18, 1920—8 p.m.*
[Received October 19—11:14 a.m.]

1830. In further reference to your telegram number 1554, October 15, 1 p.m.,[30] following is English translation of text of note dated October 18th 1920 just received.

"The Secretariat General of the Peace Conference has the honor to forward herewith to the United States Embassy an authenticated copy of the treaty signed at Sèvres on August 10th, 1920 between the Allied Powers and Turkey.

The Secretariat General has the honor to draw the Embassy's attention to article 89 of this treaty which provides that the determination of the frontier line between Turkey and Armenia will be submitted to the arbitration of the President of the United States of America who will also prescribe all expedient stipulations in regard to Armenia's access to the sea and in regard to the demilitarization of the Ottoman territory adjacent to the said frontier.

The Secretariat General of the Conference acting in accordance with the instructions of the Allied Powers begs the United States Embassy kindly to transmit to President Wilson the copy of the treaty which it has the honor to enclose."

Text of note and certified copy of the Turkish treaty will be forwarded by next pouch.

WALLACE

760j.6715/61

The Secretary of State to the Ambassador in France (Wallace)

No. 671 WASHINGTON, *November 24, 1920.*

SIR: Referring to your despatch No. 1722 of October 19th, 1920,[30] and in confirmation of my telegram No. 1653, November 23, 3 P. M.,[30]

[30] Not printed.

I beg to enclose herewith the original text of the President's decision respecting the frontier between Turkey and Armenia, access for Armenia to the sea, and the demilitarization of Turkish territory adjacent to the Armenian frontier.

This document consists of a covering letter addressed to the President of the Supreme Council, followed by the actual decision, which comprises a technical description of the boundary and which is accompanied by two maps, one showing the boundary in general and one in sections showing the boundary in detail.[31] The decision and the smaller general map are signed and authenticated. The sectional map, on the scale of 1:200,000, is included for the convenience of the Boundary Commission.

You are instructed to transmit these enclosures to the Secretariat General of the Peace Conference, referring to the note of the Secretariat General dated October 18, 1920,[32] stating that the authenticated copy of the Treaty of Sèvres forwarded therewith was received by the President, and requesting that, in accordance with the desire of the President and in fulfilment of the obligation first accepted by him on May 17th last and confirmed by Article 89 of the Treaty of Sèvres, the decision and maps in question be conveyed to the President of the Supreme Council of the Allied Powers.

I am [etc.] BAINBRIDGE COLBY

[Enclosure 1]

President Wilson to the President of the Supreme Council of the Allied Powers

Mr. PRESIDENT: By action of the Supreme Council taken on April 26th of this year an invitation was tendered to me to arbitrate the question of the boundaries between Turkey and the new state of Armenia. Representatives of the powers signatory on August 10th of this year to the Treaty of Sèvres have acquiesced in conferring this honor upon me and have signified their intention of accepting the frontiers which are to be determined by my decision, as well as any stipulations which I may prescribe as to access for Armenia to the sea and any arrangements for the demilitarization of Turkish territory lying along the frontier thus established. According to the terms of the arbitral reference set forth in Part III, Section 6, Article 89, of the Treaty of Sèvres, the scope of the arbitral competence assigned to me is clearly limited to the determination of the frontiers of Turkey and Armenia in the Vilayets of Erzerum, Trebizond, Van

[31] Map showing boundary in general is included at end of volume; sectional map not printed.

[32] See *supra*.

and Bitlis. With full consciousness of the responsibility placed upon me by your request, I have approached this difficult task with eagerness to serve the best interests of the Armenian people as well as the remaining inhabitants, of whatever race or religious belief they may be, in this stricken country, attempting to exercise also the strictest possible justice toward the populations, whether Turkish, Kurdish, Greek or Armenian, living in the adjacent areas.

In approaching this problem it was obvious that the existing ethnic and religious distribution of the populations in the four vilayets could not, as in other parts of the world, be regarded as the guiding element of the decision. The ethnic consideration, in the case of a population originally so complexly intermingled, is further beclouded by the terrible results of the massacres and deportations of Armenians and Greeks, and by the dreadful losses also suffered by the Moslem inhabitants through refugee movements and the scourge of typhus and other diseases. The limitation of the arbitral assignment to the four vilayets named in Article 89 of the Treaty made it seem a duty and an obligation that as large an area within these vilayets be granted to the Armenian state as could be done, while meeting the basic requirements of an adequate natural frontier and of geographic and economic unity for the new state. It was essential to keep in mind that the new state of Armenia, including as it will a large section of the former Armenian provinces of Transcaucasian Russia, will at the outset have a population about equally divided between Moslem and Christian elements and of diverse racial and tribal relationship. The citizenship of the Armenian Republic will, by the tests of language and religion, be composed of Turks, Kurds, Greeks, Kizilbashis, Lazes and others, as well as Armenians. The conflicting territorial desires of Armenians, Turks, Kurds and Greeks along the boundaries assigned to my arbitral decision could not always be harmonized. In such cases it was my belief that consideration of a healthy economic life for the future state of Armenia should be decisive. Where, however, the requirements of a correct geographic boundary permitted, all mountain and valley districts along the border which were predominantly Kurdish or Turkish have been left to Turkey rather than assigned to Armenia, unless trade relations with definite market towns threw them necessarily into the Armenian state. Wherever information upon tribal relations and seasonal migrations was obtainable, the attempt was made to respect the integrity of tribal groupings and nomad pastoral movements.

From the Persian border southwest of the town of Kotur the boundary line of Armenia is determined by a rugged natural barrier of great height, extending south of Lake Van and lying south-

west of the Armenian cities of Bitlis and Mush. This boundary line leaves as a part of the Turkish state the entire Sandjak of Hakkiari, or about one-half of the Vilayet of Van, and almost the entire Sandjak of Sairt. The sound physiographic reason which seemed to justify this decision was further strengthened by the ethnographic consideration that Hakkiari and Sairt are predominantly Kurdish in population and economic relations. It did not seem to the best interest of the Armenian state to include in it the upper valley of the Great Zab River, largely Kurdish and Nestorian Christian in population and an essential element of the great Tigris river irrigation system of Turkish Kurdistan and Mesopotamia. The control of these headwaters should be kept, wherever possible, within the domain of the two interested states, Turkey and Mesopotamia. For these reasons the Armenian claim upon the upper valley of the Great Zab could not be satisfied.

The boundary upon the west from Bitlis and Mush northward to the vicinity of Erzingan lies well within Bitlis and Erzerum vilayets. It follows a natural geographic barrier, which furnishes Armenia with perfect security and leaves to the Turkish state an area which is strongly Kurdish. Armenian villages and village nuclei in this section, such as Kighi and Temran, necessarily remain Turkish because of the strong commercial and church ties which connect them with Kharput rather [than?] with any Armenian market and religious centers which lie within Bitlis or Erzerum vilayets. This decision seemed an unavoidable consequence of the inclusion of the city and district of Kharput in the Turkish state as determined by Article 27 II (4) and Article 89 of the Treaty of Sèvres.

From the northern border of the Dersim the nature and direction of the frontier decision was primarily dependent upon the vital question of supplying an adequate access to the sea for the state of Armenia. Upon the correct solution of this problem depends, in my judgment, the future economic well-being of the entire population, Turkish, Kurdish, Greek, Armenian, or Yezidi, in those portions of the Vilayets of Erzerum, Bitlis and Van which will lie within the state of Armenia. I was not unmindful of the desire of the Pontic Greeks, submitted to me in a memorandum similar, no doubt, in argument and content to that presented to the Supreme Council last March at its London Conference, that the unity of the coastal area of the Black Sea inhabited by them be preserved and that arrangements be made for an autonomous administration for the region stretching from Riza to a point west of Sinope. The arbitral jurisdiction assigned to me by Article 89 of the Treaty of Sèvres does not include the possibility of decision or recommendation by me upon the question of their desire for independence, or

failing that, for autonomy. Nor does it include the right to deal with the littoral of the independent Sandjak of Djanik or of the Vilayet of Kastamuni into which extends the region of the unity and autonomy desired by the Pontic Greeks.

Three possible courses lay open to me: to so delimit the boundary that the whole of Trebizond Vilayet would lie within Turkey, to grant it in its entirety to Armenia, or to grant a part of it to Armenia and leave the remainder to Turkey. The majority of the population of Trebizond Vilayet is incontestably Moslem and the Armenian element, according to all pre-war estimates, was undeniably inferior numerically to the Greek portion of the Christian minority. Against a decision so clearly indicated on ethnographic grounds weighed heavily the future of Armenia. I could only regard the question in the light of the needs of a new political entity, Armenia, with mingled Moslem and Christian populations, rather than as a question of the future of the Armenians alone. It has been and is now increasingly my conviction that the arrangements providing for Armenia's access to the sea must be such as to offer every possibility for the development of this state as one capable of reassuming and maintaining that useful role in the commerce of the world which its geographic position, athwart a great historic trade route, assigned to it in the past. The civilization and the happiness of its mingled population will largely depend upon the building of railways and the increased accessibility of the hinterland of the three vilayets to European trade and cultural influences.

Eastward from the port of Trebizond along the coast of Lazistan no adequate harbor facilities are to be found and the rugged character of the Pontic range separating Lazistan Sandjak from the Vilayet of Erzerum is such as to isolate the hinterland from the coast so far as practicable railway construction is concerned. The existing caravan route from Persia across the plains of Bayazid and Erzerum, which passes through the towns of Baiburt and Gumush-khana and debouches upon the Black Sea at Trebizond, has behind it a long record of persistent usefulness.

These were the considerations which have forced me to revert to my original conviction that the town and harbor of Trebizond must become an integral part of Armenia. Because of the still greater adaptability of the route of the Karshut valley, ending at the town of Tireboli, for successful railway construction and operation I have deemed it also essential to include this valley in Armenia, with enough territory lying west of it to insure its adequate protection. I am not unaware that the leaders of the Armenian delegations have expressed their willingness to renounce claim upon that portion of Trebizond Vilayet lying west of Surmena. Commendable

as is their desire to avoid the assumption of authority over a territory so predominantly Moslem, I am confident that, in acquiescing in their eagerness to do justice to the Turks and Greeks in Trebizond I should be doing an irreparable injury to the future of the land of Armenia and its entire population, of which they will be a part.

It was upon such a basis, Mr. President, that the boundaries were so drawn as to follow mountain ridges west of the city of Erzingan to the Pontic range and thence to the Black Sea, in such a way as to include in Armenia the indentation called Zephyr Bay. The decision to leave to Turkey the harbor towns and hinterland of Kerasun and Ordu in Trebizond Sandjak was dictated by the fact that the population of this region is strongly Moslem and Turkish and that these towns are the outlets for the easternmost sections of the Turkish vilayet of Sivas. The parts of Erzerum and Trebizond Vilayets which, by reason of this delimitation, remain Turkish rather than become Armenian comprise approximately 12,120 square kilometers.

In the matter of the demilitarization of Turkish territory adjacent to the Armenian border as it has been broadly described above, it seemed both impracticable and unnecessary to establish a demilitarized zone which would require elaborate prescriptions and complex agencies for their execution. Fortunately, Article 177 of the Treaty of Sèvres prescribes the disarming of all existing forts throughout Turkey. Articles 159 and 196–200 provide in addition agencies entirely adequate to meet all the dangers of disorder which may arise along the borders, the former by the requirement that a proportion of the officers of the gendarmerie shall be supplied by the various Allied or neutral Powers, the latter by the establishment of a Military Inter-Allied Commission of Control and Organization. In these circumstances the only additional prescriptions which seemed necessary and advisable were that the military Inter-Allied Commission of Control and Organization should, in conformity with the powers bestowed upon it by Article 200 of the Treaty, select the superior officers of the gendarmerie to be stationed in the vilayets of Turkey lying contiguous to the frontiers of Armenia solely from those officers who will be detailed by the Allied or neutral Powers in accordance with Article 159 of the Treaty; and that these officers, under the supervision of the Military Inter-Allied Commission of Organization and Control, should be especially charged with the duty of preventing military preparations directed against the Armenian frontier.

It is my confident expectation that the Armenian refugees and their leaders, in the period of their return into the territory thus assigned to them, will by refraining from any and all form of

reprisals give to the world an example of that high moral courage which must always be the foundation of national strength. The world expects of them that they give every encouragement and help within their power to those Turkish refugees who may desire to return to their former homes in the districts of Trebizond, Erzerum, Van and Bitlis remembering that these peoples, too, have suffered greatly. It is my further expectation that they will offer such considerate treatment to the Laz and the Greek inhabitants of the coastal region of the Black Sea, surpassing in the liberality of their administrative arrangements, if necessary, even the ample provisions for non-Armenian racial and religious groups embodied in the Minorities Treaty signed by them upon August 10th of this year, that these peoples will gladly and willingly work in completest harmony with the Armenians in laying firmly the foundation of the new Republic of Armenia.

I have the honor to submit herewith the text of my decision.

Accept [etc.] WOODROW WILSON

WASHINGTON, *November 22, 1920.*

[Enclosure 2]

Decision of President Wilson respecting the Frontier between Turkey and Armenia, Access for Armenia to the Sea, and the Demilitarization of Turkish Territory adjacent to the Armenian Frontier

Woodrow Wilson, President of the United States, to Whom it shall Concern,

Greeting:

Whereas, on April 26, 1920, the Supreme Council of the Allied Powers, in conference at San Remo, addressed to the President of the United States of America an invitation to act as arbitrator in the question of the boundary between Turkey and Armenia, to be fixed within the four Vilayets of Erzerum, Trebizond, Van, and Bitlis;

And whereas, on May 17, 1920, my acceptance of this invitation was telegraphed to the American Ambassador in Paris, to be conveyed to the Powers represented on the Supreme Council;

And whereas, on August 10, 1920, a Treaty of Peace was signed at Sèvres by Plenipotentiary Representatives of the British Empire, France, Italy and Japan, and of Armenia, Belgium, Greece, Poland, Portugal, Roumania, and Czecho-Slovakia, of the one part, and of Turkey, of the other part, which Treaty contained, among other provisions, the following:

"ARTICLE 89

"Turkey and Armenia as well as the other High Contracting Parties agree to submit to the arbitration of the President of the United States of America the question of the frontier to be fixed between Turkey and Armenia in the Vilayets of Erzerum, Trebizond, Van and Bitlis, and to accept his decision thereupon, as well as any stipulations he may prescribe as to access for Armenia to the sea, and as to the demilitarization of any portion of Turkish territory adjacent to the said frontier";

And whereas, on October 18, 1920, the Secretariat General of the Peace Conference, acting under the instructions of the Allied Powers, transmitted to me, through the Embassy of the United States of America in Paris, an authenticated copy of the above mentioned Treaty, drawing attention to the said Article 89;

Now, therefore, I, Woodrow Wilson, President of the United States of America, upon whom has thus been conferred the authority of arbitrator, having examined the question in the light of the most trustworthy information available, and with a mind to the highest interests of justice, do hereby declare the following decision:

I

The frontier between Turkey and Armenia in the Vilayets of Erzerum, Trebizond, Van, and Bitlis, shall be fixed as follows (see annexed map on the scale of 1:1,000,000 [32]):

1. The initial point * shall be chosen on the ground at the junction of the Turkish-Persian frontier with the eastern termination of the administrative boundary between the Sandjaks of Van and Hakkiari, of the Vilayet of Van, as this administrative boundary appears upon the Bashkala sheet of the Turkish map, scale 1:200,000, editions published in the Turkish financial years 1330 and 1331 (1914 and 1915). From this initial point the boundary shall extend southwestward to the western peak of Merkezer Dagh, situated about 6 kilometers westward from point 3350 (10,990 feet), about 2 kil-

[32] Included at end of volume.

* It is my understanding that this initial point will lie upon the former Turkish–Persian frontier referred to in Article 27 II (4) of the Treaty of Sèvres; but 40 miles of the said frontier, within which the initial point of the Armenian frontier is included, were left undemarcated by the Turco-Persian Frontier Commission in 1914. The initial point contemplated lies about 1 kilometer southward from the village of Kara Hissa and approximately 25 kilometers southwestward from the village of Kotur, and may be fixed on the ground as near this location as the Boundary Commission shall determine, provided it lies at the junction of the Van–Hakkiari Sandjak boundary with the frontier of Persia. [Footnote in the original.]

ometers southeastward from the village of Yokary Ahvalan, and approximately 76 kilometers southeastward from the city of Van,

the sandjak boundary specified above, then the administrative boundary between the Kazas of Mamuret-ul-Hamid and Elback, then the same sandjak boundary specified above, all modified, where necessary, to follow the main water-parting between the Zap Su (Great Zab River) and the Khoshab Su, and dividing equably the summits of the passes Krdes Gedik and Chokh Gedik;

thence northwestward about 28 kilometers to Klesiry Dagh,

a line to be fixed on the ground, following the main water-partings between the Khoshab Su and the streams flowing into the Shatak Su, and traversing the pass south of the village of Yokary Ahvalan, and passing through Shkolans Dagh (3100 meters or 10,170 feet) and the Belereshuk pass;

thence southwestward to the junction of an unnamed stream with the Shatak Su at a point about 10 kilometers southward from the village of Shatak,

a line to be fixed on the ground, following the main water-partings, and passing through Koh Kiran Daghlar, Sari Dagh (3150 meters or 10,335 feet), Kevmetala Tepe (3500 meters or 11,480 feet), point 3540 (11,615 feet), in such a way as to leave to Armenia the village of Eyreti, and to Turkey the village of Araz, and to cross the Shatak Su at least 2 kilometers southward from the village of Dir Mouem Kilisa;

thence westward to the point where the Bitlis–Van Vilayet boundary reaches the Moks Su from the west, situated about 18 kilometers southward from the village of Moks,

a line to be fixed on the ground, following the main water-partings, leaving to Armenia the villages of Kachet, Sinpass, and Ozim, passing through Kanisor Tepe (3245 meters or 10,645 feet), an unnamed peak about 3 kilometers southward from Arnus Dagh (3550 meters or 11,645 feet), crossing an unnamed stream about 2 kilometers southward from the village of Sinpass, passing through point 3000 (9840 feet), following the boundary between the Vilayets of Van and Bitlis for about 3 kilometers southwestward from this point and continuing southwestward on the same ridge to an unnamed peak about 2 kilometers eastward from Moks Su, and then descending to this stream;

thence northward to an unnamed peak on the boundary between the Vilayets of Van and Bitlis about 3 kilometers westward from the pass at Mata Gedik,

the administrative boundary between the Vilayets of Van and Bitlis, modified south of Vankin Dagh (3200 meters or 10,500 feet) to follow the main water-parting;

thence westward to the peak Meidan Chenidiani, situated on the boundary between the Sandjaks of Bitlis and Sairt about 29 kilometers southeastward from the city of Bitlis,

a line to be fixed on the ground, following the main water-partings, passing through Veberhan Dagh (3110 meters or 10,200 feet), crossing the Kesan Dere about 2 kilometers southward from the village of Khoros, leaving to Turkey the villages of Semhaj and Nevaleyn as well as the bridge or ford on the trail between them, and leaving to Armenia the village of Chopans and the trail leading to it from the northeast;

thence westward to the Guzel Dere Su at a point about 23 kilometers southward from the city of Bitlis and about 2 kilometers southward from Nuri Ser peak (2150 meters or 7050 feet),

the administrative boundary between the Sandjaks of Bitlis and Sairt, and then, a line to be fixed on the ground, following the main water-partings, and passing through points 2750 and 2700 of Kur Dagh, (9020 and 8860 feet respectively), Biluki Dagh (2230 meters or 7315 feet), and Sihaser Tepe (2250 meters or 7380 feet);

thence westward to the junction of the Bitlis Su and the unnamed stream near the village of Deshtumi, about 30 kilometers southwestward from the city of Bitlis,

a line to be fixed on the ground, following the main water-partings, leaving to Turkey the villages of Lered and Daruni, and to Armenia the village of Enbu and all portions of the trail leading northeastward to the Bitlis Su from Mergelu peak (1850 meters or 6070 feet), and passing through Mergelu Tepe and Shikh Tabur ridge;

thence westward to the Zuk (Gharzan) Su at a point about 11 kilometers northeastward from the village of Hazo and approximately 1 kilometer upstream from the village of Zily,

a line to be fixed on the ground, following the main water-partings, leaving to Armenia the village of Deshtumi, passing through the eastern peak of Kalmen Dagh (2710 meters or 8890 feet) and continuing in such a manner as to leave to Armenia the upland *dolina*, or basin of interior drainage, to traverse the pass about 3 kilometers westward from the village of Avesipy, passing through Shelash Dagh (1944 meters or 6380 feet);

thence westward to the Sassun Dere at a point about 4 kilometers southwestward from the village of Kabil Jeviz and approximately 47 kilometers southward from the city of Mush,

a line to be fixed on the ground, following the main water-partings through Cheyardash peak (2001 meters or 6565 feet), Keupeka peak (1931 meters or 6335 feet), an unnamed peak on the Sassun Dagh about 4 kilometers southwestward from Malato Dagh (2967 meters or 9735 feet), point 2229 (7310 feet), and leaving to Turkey the village of Gundenu;

thence northwestward to the Talury Dere at a point about 2 kilometers upstream from the village of Kasser and approximately 37 kilometers northeastward from the village of Seylevan (Farkin),

a line to be fixed on the ground, following the main water-partings and passing through an unnamed peak about 2 kilometers eastward from the village of Seyluk, and through point 2073 (6800 feet), leaving to Armenia the village of Heyshtirem;

thence northwestward to the western tributary of the Talury Dere at a point about 2 kilometers eastward from the village of Helin and approximately 42 kilometers southwestward from the city of Mush,

a line to be fixed on the ground, following the main water-partings, and passing through point 2251 (7385 feet);

thence northwestward to the junction of the Kulp Boghazy (Kulp Su) and Askar Dere, approximately 42 kilometers southwestward from the city of Mush,

a line to be fixed on the ground, following the main water-partings leaving to Turkey the village of Helin and to Armenia the village of Kehirvanik;

thence northwestward to a point on the administrative boundary between the Sandjaks of Gendj and Mush northeast of Mir Ismail Dagh, and situated about 5 kilometers westward from the village of Pelekoz, and approximately 19 kilometers southward from the village of Ardushin,

a line to be fixed on the ground, following the main water-partings, and passing through the Komiss Dagh;

thence northwestward to the Frat Nehri (Murad Su, or Euphrates) at a point to be determined on the ground about 1 kilometer upstream from the village of Dorne and approximately 56 kilometers westward from the city of Mush,

the administrative boundary between the Sandjaks of Gendj and Mush northward for about 2 kilometers, then a line to be fixed on the ground, following the main water-partings westward to an unnamed peak approximately 6 kilometers east of Chutela (Akche Kara) Dagh (2940 meters or 9645 feet), then northward passing through Hadije Tepe on Arshik Dagh, leaving to Turkey the village of Kulay and to Armenia the village of Kluhuran;

thence northwestward to the Gunik Su at a point about midway between two trails crossing this river about half way between the villages of Elmaly and Chenajky, and approximately 26 kilometers northeastward from the village of Cholik (Chevelik),

a line to be fixed on the ground, following the main water-partings, passing through an unnamed peak about 2 kilometers westward from the village of Shanghar, along Solkhan Dagh, and through point 2200 (7220 feet), leaving to Turkey the villages of

Shanghar and Chenajky, and to Armenia the villages of Kumistan, Lichinak, and Elmaly;

thence northwestward to the boundary between the Vilayets of Erzerum and Bitlis at an unnamed peak near where a straight line between the villages of Erchek and Agha Keui would intersect said vilayet boundary,

a line to be fixed on the ground, following the main water-partings, passing through point 2050 (6725 feet);

thence northward to an unnamed peak on said vilayet boundary about 8 kilometers northwestward from Kartalik Tepe on the Choris Dagh,

the administrative boundary between the Vilayets of Erzerum and Bitlis;

thence westward to the Buyuk Su (Kighi Su) at a point about 2 kilometers upstream from the junction of the Ghabzu Dere with it, and approximately 11 kilometers northwestward from the village of Kighi,

a line to be fixed on the ground, following the main water-partings of the Sheitan Daghlar, passing through points 2610 (8565 feet), Sheitan Dagh (2906 meters or 9535 feet), Hakstun Dagh, and leaving to Armenia the village of Dinek and the ford or bridge southwest of this village;

thence westward to the Dar Boghaz (Kuttu Dere) at a point about 3 kilometers southward from the village of Chardaklar (Palumor),

a line to be fixed on the ground, following the main water-partings, leaving to Armenia the villages of Shorakh and Ferhadin, passing through Ghabarti Dagh (2550 meters or 8365 feet), Sian Dagh (2750 meters or 9020 feet), the 2150-meter pass on the Palumor-Kighi trail near Mustafa Bey Konaghy, Feziria Tepe (2530 meters or 8300 feet), point 2244 (7360 feet), and point 2035 (6675 feet);

thence westward to the point common to the boundaries of the Sandjaks of Erzingan and Erzerum and the vilayet of Mamuret-ul-Aziz, situated at a sharp angle in the vilayet boundary, approximately 24 kilometers westward from the village of Palumor and 32 kilometers southeastward from the city of Erzingan,

a line to be fixed on the ground, following the main water-partings, and passing northwestward through an unnamed peak about 2 kilometers southwestward from Palumor, through Silos (Kersinod) Dagh (2405 meters or 7890 feet) to an unnamed peak on the southern boundary of the Sandjak of Erzingan, about 8 kilometers southwestward from the Palumor-Erzingan pass, then turning southwestward along said sandjak boundary for nearly 13 kilometers, passing through Karaja Kaleh (3100 meters or 10,170 feet);

thence westward to an unnamed peak on the boundary between the Villayets of Erzerum and Mamuret-ul-Aziz about 3 kilometers northeastward from the pass on the trail across the Monzur Silsilesi between Kennakh on the Euphrates and Pelur in the Dersim, the peak being approximately 40 kilometers southwestward from the city of Erzingan,

the administrative boundary between the Vilayets of Erzerum and Mamuret-ul-Aziz, modified,* in case a majority of the voting members of the Boundary Commission deem it wise, to follow the main water-parting along the ridge between an unnamed peak about 2 kilometers southwest of Merjan Daghlar (3449 meters or 11,315 feet) and Katar Tepe (3300 meters or 10,825 feet);

thence northward to the Frat Nehri (Kara Su, or Euphrates) at a point to be determined on the ground about 6 kilometers eastward from the village of Kemakh and approximately 35 kilometers southwestward from the city of Erzingan,

a line to be fixed on the ground, following the main water-partings, leaving to Turkey the trail from Pelur in the Dersim to Kemakh on the Euphrates, and to Armenia the village of Koja Arbler;

thence, northward to the boundary between the Vilayets of Erzerum and Trebizond at a point to be determined about 1 kilometer west of peak 2930 (2630? or 8625 feet) and about 4 kilometers southward from the village of Metkut, or approximately 39 kilometers northwestward from the city of Erzingan,

a line to be fixed on the ground, following the main water-partings, leaving to Turkey the villages of Chalghy Yady, Toms, and Alamlik, and to Armenia the village of Erkghan and the road and col south of the village of Metkut, passing through Utch Kardash Tepe, Kelek Kiran (Tekke Tash, 2800 meters or 9185 feet), Kehnam Dagh (or Kara Dagh, 3030 meters or 9940 feet), dividing equably between Armenia and Turkey the summit of the pass about 2 kilometers westward from the village of Zazker and, similarly, the summit of the pass of Kral Kham Boghazy near the village of Chardakli, pass-

*At the locality named, the vilayet boundary (according to Khozat-Dersim sheet of the Turkish General Staff map, scale 1:200,000) descends the northern slope of the Monzur-Silsilesi for about 7 kilometers. The junction of the boundary between the Kazas of Erzingan and Kemakh in Erzingan Sandjak of Erzerum Vilayet with the boundary of Dersim Sandjak of Mamuret-ul-Aziz Vilayet lies within 14 kilometers of the Euphrates River. This leaves to Turkey a military bridgehead north of an 11,000-foot mountain range and only 20 kilometers south of the city of Erzingan. I am not empowered to change the administrative boundary at this point, and these 40 square kilometers of territory lie outside the four vilayets specified in Article 89 of the Treaty of Sèvres.

However, I venture to call the attention of the Boundary Commission to the desirability of consulting the local inhabitants with a view to possible modification of the vilayet boundary at this point. [Footnote in the original.]

ing through point 2760 on Kara Dagh (9055 feet), point 2740 (8990 feet), and a point to be determined on the ground, situated near the Iky Sivry stream less than 2 kilometers westward from the Chimen Dagh pass, and located in such a manner as to leave to Turkey the junction of the two roads leading westward to the villages of Kuchi Keui and Kara Yayrak, and to Armenia the junction of two other roads leading to the villages of Metkut and Kirmana; the Boundary Commission shall determine in the field the most equable disposition of the highway between points 2760 and 2740;

thence northwestward to the Kelkit Chai (Kelkit Irmak) at the point where the boundary between the Vilayets of Trebizond and Sivas reaches it from the south,

the administrative boundary between the Vilayets of Trebizond and Erzerum, and then the administrative boundary between the Vilayets of Trebizond and Sivas;

thence northward to an unnamed peak on the boundary between the Vilayets of Trebizond and Sivas about 4 kilometers southwestward from Borgha Paya (2995 meters or 9825 feet) the latter being situated approximately 38 kilometers southwestward from the city of Gumush-khana,

a line to be fixed on the ground, following the main water-partings, leaving to Armenia the villages of Halkit, Sinanli, Kiliktin, and Kirtanos; and to Turkey the villages of Kar Kishla, Sadik, Kara Kia, and Ara, crossing the pass between the western tributaries of the Shiran Chai and the eastern headwaters of the Barsak Dere (Kara Chai) about 43 kilometers eastward from the city of Karahissar Sharki (Shebin Karahissar);

thence northeastward, northward, and westward to an unnamed peak on the boundary between the Vilayets of Trebizond and Sivas situated about 7 kilometers northwestward from Yerchi Tepe (2690 meters or 8825 feet) and approximately 47 kilometers south southeastward from the city of Kerasun,

the administrative boundary between the Vilayets of Trebizond and Sivas;

thence northward, from the point last mentioned, on the crest of the Pontic Range, to the Black Sea, at a point to be determined on the seacoast about 1 kilometer westward from the village of Keshab, and approximately 9 kilometers eastward from the city of Kerasun,

a line to be fixed on the ground, following the main water-partings, leaving to Turkey the fields, pastures, forests, and villages within the drainage basin of the Komit Dere (Ak Su) and its tributaries, and to Armenia the fields, pastures, forests, and villages within the drainage basins of the Yaghaj Dere (Espiya Dera) and the

Venazit Dere (Keshab Dere) and their tributaries, and drawn in such a manner as to utilize the boundary between the Kazas of Tripoli (Tireboli) and Kerasun in the 7 kilometers just south of Kara Tepe (1696 meters or 5565 feet), and to provide the most convenient relationships between the new frontier and the trails along the ridges, as these relationships may be determined by the Boundary Commission in the field after consultation with the local inhabitants.

2. In case of any discrepancies between the text of this Decision and the maps on the scales of 1:1,000,000 and 1:200,000 annexed, the text will be final.

The limits of the four vilayets specified in Article 89 of the Treaty of Sèvres are taken as of October 29, 1914.

The frontier, as described above, is drawn in red on an authenticated map on the scale of 1:1,000,000 which is annexed to the present Frontier Decision. The geographical names here mentioned appear upon the maps accompanying this text.

The chief authorities used for the names of geographical features, and of elevations of mountains, and the location of vilayet, sandjak, and kaza boundaries, are the Turkish General Staff map, scale 1:200,000, and, in part, the British map, scale 1:1,000,000.

The maps on the scale of 1:200,000 are recommended to the Boundary Commission, provided in Article 91, for their use in tracing on the spot the portion of the frontiers of Armenia established by this Decision.

II

The frontier described above, by assigning the harbor of Trebizond and the valley of the Karshut Su to Armenia, precludes the necessity of further provision for access for Armenia to the sea.

III

In addition to the general provisions for the limitation of armaments, embodied in the Military, Naval and Air Clauses, Part V of the Treaty of Sèvres, the demilitarization of Turkish territory adjacent to the frontier of Armenia as above established shall be effected as follows:

The Military Inter-Allied Commission of Control and Organization provided for in Articles 196–200 of the Treaty of Sèvres shall appoint the superior officers of the gendarmerie stationed in those vilayets of Turkey lying contiguous to the frontiers of the state of Armenia exclusively from the officers to be supplied by the various Allied or neutral Powers according to Article 159 of the said Treaty.

These officers shall, in addition to their other duties, be especially charged with the task of observing and reporting to the Military

Inter-Allied Commission of Control and Organization upon any tendencies within these Turkish vilayets toward military aggression against the Armenian frontier, such as the building of strategic railways and highways, the establishment of depots of military supplies, the creation of military colonies, and the use of propaganda dangerous to the peace and quiet of the adjacent Armenian territory. The Military Inter-Allied Commission of Control and Organization shall thereupon take such action as is necessary to prevent the concentrations and other aggressive activities enumerated above.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in duplicate at the city of Washington on the twenty-second day of November, one thousand nine hundred and twenty, [SEAL] and of the Independence of the United States the one hundred and forty-fifth.

WOODROW WILSON

By the President:
BAINBRIDGE COLBY
Secretary of State.

760j.67/39a : Telegram

President Wilson to the President of the Council of the League of Nations (Hymans)

WASHINGTON, *November 30, 1920.*

I have the honor to acknowledge the receipt of your cabled message,[34] setting forth the resolution adopted by the Assembly of the League of Nations, requesting the Council of the League to arrive at an understanding with the governments with a view to entrusting a power with the task of taking necessary measures to stop the hostilities in Armenia.

You offer to the United States the opportunity of undertaking the humanitarian task of using its good offices to end the present tragedy, being enacted in Armenia, and you assure me that your proposal involves no repetition of the invitation to accept a mandate for Armenia.

While the invitation to accept a mandate for Armenia has been rejected by the Senate of the United States, this country has repeatedly declared its solicitude for the fate and welfare of the Armenian people, in a manner and to an extent that justifies you in saying that the fate of Armenia has always been of special interest to the American people.

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[34] Not found in Department files; for the text, see *League of Nations: Minutes of the Council*, 11th Session, Geneva, November–December 1920, p. 84.

I am without authorization to offer or employ military forces of the United States in any project for the relief of Armenia, and any material contributions would require the authorization of the Congress which is not now in session and whose action I could not forecast. I am willing, however, upon assurances of the moral and diplomatic support of the principal powers, and in a spirit of sympathetic response to the request of the Council of the League of Nations, to use my good offices and to proffer my personal mediation through a representative whom I may designate, to end the hostilities now being waged against the Armenian people and to bring peace and accord to the contending parties, relying upon the Council of the League of Nations to suggest to me the avenues through which my proffer should be conveyed and the parties to whom it should be addressed.

WOODROW WILSON

760j.67/39 : Telegram

The High Commissioner at Constantinople (Bristol) to the Secretary of State

CONSTANTINOPLE, *November 30, 1920—7 p.m.*
[Received December 1—5:25 a.m.]

609. Reliable information received from Armenia by one just returning from Erivan. It is reported that Armenia is finished. The Armenian troops at Kars and Alexandropol were superior in forces, however they were defeated and in many cases ran away. The Turks have captured Igdir and are only a few miles from Keraklis. General Dro is now in command of the Armenians and appears to be holding his lines. A second armistice is in effect and a treaty of peace is being negotiated. The Americans are reported all safe within the Turkish lines. The Bolsheviks and Nationalist Turks are in accord. There is no foundation in reports that Alexandropol and Kars have been retaken by the Armenians and there is no likelihood of their being retaken.

BRISTOL

760j.67/42½ : Telegram

The President of the Council of the League of Nations (Hymans) to President Wilson

GENEVA, *December 2, 1920.*

In the name of the Council of the League of Nations I thank you for your telegram of December 1st [*November 30th*], in which you

agree to act as mediator between the Armenians and the Kemalists and add that you will nominate a representative for this purpose. The Council is deeply rejoiced at and grateful for your decision. The Council asks me to inform you that the Spanish Government declares itself ready to participate in any action of a moral and diplomatic character in support of Armenia and that the Brazilian Government announces that it is ready to take part alone or with other powers in putting an end to the present situation in Armenia. The Council is therefore requesting those two Governments to communicate directly with you as to how cooperation in this work can best be arranged. Negotiations can be opened immediately with the Armenian Government at Erivan. As regards the Kemalists the Council is taking steps to find out the most effective method of getting into touch with them and will inform you further on this point as soon as possible.

HYMANS

860j.01/367 : Telegram

The Consul at Tiflis (Moser) to the Acting Secretary of State [35]

TIFLIS, *December 4, 1920—10 a.m.*
[Received December 11—10 : 30 a.m.[36]]

99. It is officially announced at Erivan, December 2nd, that Armenia is declared Soviet republic. The new government will consist of five Bolshevik commissaries and two members of the Dashnak Party, General Dro and Terterrian, former appointed military dictator in the field with Silin probably Russian Commissary for Military Affairs. Soviet Russian Ambassador has announced Russia's recognition of the new Soviet republic.

Overthrow of the Armenian Cabinet, formed a week ago, followed occupation by Russian troops from Baku of the Armenian frontier towns, Foulkspril [*sic*] and Delijan, on November 30th. Russian action taken at the request of Armenian Bolshevik Committee at Baku and met with no opposition. During the peace conference between Turkey and Armenia local government at Alexandropol turned Bolshevik. Control of the district to pass to them upon Turkish Army evacuation according to the peace treaty on December 5th.

Finding it will be impossible to proceed with the work or to receive assurance of safety under the Bolshevik regime, Director General Yarrow has secured Turkish military protection and is removing entire Near East personnel and stores to trains going to Kars. Thus he is forced to abandon orphans and American relief work of

[35] Transmitted via Constantinople.
[36] Telegram in two sections.

five years. Relief work in Armenia proper no longer possible but Yarrow hopes under the protection of Turks to continue relief of Armenians in Turkey and to obtain communications and supplies through Erzerum and Trebizond.

MOSER

760j.6715/66 : Telegram

The Acting Secretary of State to the Ambassador in France (Wallace)

[Paraphrase]

WASHINGTON, *December 13, 1920—5 p.m.*

1695. Department has decided that on Friday December 17 the President's boundary decision will be given out for publication by the press on the following day. You may so inform the Foreign Office.

DAVIS

760j.67/47a : Telegram

The Acting Secretary of State to the President of the Council of the League of Nations (Hymans)

WASHINGTON, *December 15, 1920—2: 36 p.m.*

The President has directed me to advise you that he has designated the Honorable Henry Morgenthau as his personal representative who is prepared to proceed as soon as practicable to carry out his proffer of good offices and personal mediation in the matter of Armenia. The President, however, is still awaiting advices from the Council of the League as to the avenues through which his proffer should be conveyed and the parties with whom his representatives should get in contact, as well as assurances that he may count upon the diplomatic and moral support of the principal powers represented on the Council of the League.

NORMAN DAVIS

760j.6715/70 : Telegram

The Ambassador in France (Wallace) to the Acting Secretary of State

[Paraphrase]

PARIS, *December 16, 1920—5 p.m.*

[Received 9:03 p.m.]

2015. Referring to Department's 1695 of December 13. I have received from the Foreign Office a pressing request that you be

asked to delay making public the President's decision on the Armenian boundary until they have been afforded opportunity to submit certain considerations which are to be immediately communicated to you through me.

WALLACE

760j.6715/70 : Telegram

The Acting Secretary of State to the Ambassador in France (Wallace)

[Paraphrase]

WASHINGTON, *December 17, 1920—2 p.m.*

1707. Referring to your 2015 of December 16. Complying with Foreign Office request, Department will not for the present make public the President's decision.

DAVIS

760j.6715/72 : Telegram

The Ambassador in France (Wallace) to the Acting Secretary of State

PARIS, *December 20, 1920—8 p.m.*
[Received December 21—10:17 a.m.]

2029. Referring to my 2015, December 16. I have received from Mr. Leygues in answer to my communication of 14th instant advising him of date set for publication of boundary decision, a note stating in part as follows:

"Inasmuch as the chiefs of the Governments of the Principal Allied Powers have not to this day had the opportunity of considering together President Wilson's decision I have the honor to beg Your Excellency kindly to request the Department of State to examine whether in its opinion it would not be advisable to defer the publication of the decision until the meeting of the Heads of Governments which in fact will take place shortly."

I have made informal inquiry as to when the meeting of the Supreme Council will be held but date apparently is as yet undetermined.

WALLACE

760j.67/56½ : Telegram

The President of the Council of the League of Nations (Hymans) to President Wilson

GENEVA, *December 26, 1920.*

I have the honor to transmit to you following telegram received from British Foreign Minister.

Following from Mr. Lloyd George: No. 39. Your telegram of December 2nd. After consulting British representatives at Constantinople and Tiflis best course would appear to be that President Wilson should telegraph his instructions direct to American High Commissioner at Constantinople, who would concert with his colleagues in the matter. It has now been reported that a treaty of peace has been concluded between the Armenian Government [apparent omission] and the Council are no doubt aware that Armenia is at present reported to be under the control of Soviet Russia and the advanced Dashnac Party. 0417 Curzon.

HYMANS

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37° 38° 39° 40°

42°

B L A C K S E A

41°

DJANIK

Uniya

735

Ordu

Tireboli

Kerasun

Keshab

Espiya

Fol Bazar

Platana

Trebizond

Surmena

Of

Riza

Atina

T R E B I Z O N D

1650

Djevizlik

Kara Tepe 1896

2280

Zigana Pass (2036) 2510

Ardasa

3063

3711

Niksar

1630

2785

KERASUN KAZA

TIREBOLI KAZA

Unnamed Peak

2919 Gilsour Dagh

2880

Gumush-khana

Tekka

2859

3359

P O N T I C A R A

Melet

Yerchi Tepe 2690

Rechadie

Davuk Pass

Unnamed Peak

Borgha Pays 2995

Alidjora

Karahissar Sharki (Shebin Karahissar)

Koili Hissar

Kelkit

750

Kirtanos

Kiliktim

Sinanli

Halkit

Kara Yayrak

Kara Dja Sadik

Kar Kishla

Enderes

2537

Chai

Shirun Chai

Kelkit Chiftlik

1500

Baiburt

2920

3200

2963

Kop Dagh

2900

2600

3223

2427

Metkut 2930

Chimen Dagh Pass

Kara Dagh 2740

Kuchi Keui 2760

2200

Gerdjanis

Zara

1600

Kara

Su

Ashkala

2500

1640

1320

Sivas

Kizil

Irmak

1560

Kral Khani Boghaz

Alamliko

Zazker

Kelek Kiran 2800

Kehnam Dagh 3030

Utch Kardash Tepe

Erzingan

1189

3537

ERZINGAN SANDJAK

ERZEROUM SANDJAK

1450

Namakhatun

Domanli Dagh

T U R K E Y

Kuruchai

2581

Toma

Erkghan

Kemakh

Yadi

Koja Arbler

KEMAKH KAZA

2950

1000

Chalghy

Su

2400

S I V A S

Ulash

2217

Deliki Tash

1932

1970

Divrik

2295

Chalta

Su

Katar Tepe 3900

Unnamed Peak

Monzur Silsilesi

2900

Pelur

Merjan Dagh 3449

Karaja Kaleh 3100

Unnamed Peak

Silos Dagh 3405

Unnamed Peak 2035

Unnamed Peak 2244

Charmaklar (Pahumor)

Ferhadin

3550

Feziria Tepe 2530

Mustafa Bey Kidnaghly

2150

Sian Dagh 2750

Ghabakti Dagh 2550

Shorakh Dinek

Sheitan

Sheitan Dagh 2906

Dagklar 2510

Unnamed Peak 2822

Hakstun Dagh

Ghabzu Para

Kighi

Temran

2500

Chorik Dagh

Kartali 2792

Kangal

1600

Egin

3188

Kizil Irmak

2635

Euphrates

Su

Agha Keui

Unnamed Peak

Erchek

Elmaly

Chenaiky

2375

Arabkir

Khozat

Pakh

Mazgird

Chemishgezek

2079

39°

BOUNDARY BETWEEN T

AS DETER

WOODROW WILSON, PRESIDENT OF

Scale 1

Kilometers 10 5 0 10 20 30 40

Turkish-Armenian boundary
Other international boundaries
Unmarked international boundaries
Old Turkish-Russian boundary
Vilayet boundaries
Sandjak boundaries
Kaza boundaries
Railways, broad gauges

Railways, narrow gauge
Important highways
Trails
Important cities
Other cities and villages
Peaks and passes on Armenian boundary
Other peaks
(All elevations approximate, in meters)

ERZERUM..... .....Names of the vilayets of Erzerum, Trebizond, Van, and Bitlis and other administrative units

Map compiled under the direction of Major Lawrence Martin, General Staff, U. S. Army, by the topographic branch U. S. Geological Survey, in cooperation with the Department of State, from field observations by the Harbord Mission and from maps of the Turkish General Staff, scale 1:200,000, German maps prepared during the war, scale 1:400,000, and British maps of Persian and Transcaucasian territory, scale 1:1,000,000

Woodrow Wilson

42° 43° 44° 45° 42°

KUTAIS

TIFLIS

BATUM

KARS

ERIVAN

TRANSCAUCASUS

ELISAVETOPOL

Kura

Gori

Tkhyubi

Tiflis

Bakuiani

Manglis

Byeli Klyuch

Akhaltsikh

Akhalkalaki

Shulaveri

Batum

Khopa

Artvin

Ardagan

Kaikuli Kazanchi

Alaverdi

Vorontsovka

Aleksandropol

Kiskin

Olti

Kars

Id

Nikhag

Sari Kamish

Karakurt

Kagizman

Sardar-abad

Echmiadzin (Vagarshapat)

Erivan

Novo-Bayazet

ARAKS

Khorosan

Hassan Kala

Erzerum

Alashgird

Kara Kilissa

Igdir

AGHRI DAGH (MT ARARAT) 5156

Kuchuk Aghri Dagh 3802

Diadin

Bayazid

Dutakht

Ak Dagh

Khinis

Bingeul Dagh 3650

Maku

Gum Gum

Melasgird

Gop

Murad

Ardlish

Bergri

40°

41°

39°

1006 · 950 · 1010 · 1700 · 883 · 353 · 75 · 675 · 1150 · 2294 · 2850 · 1440 · 3430 · 2727 · 2557 · 794 · 1240 · 1948 · 1624 · 2944 · 3511 · 2520 · 1493 · 2359 · 3003 · 1127 · 2876 · 3263 · 2691 · 4095 · 2048 · 2710 · 3130 · 1216 · 2962 · 2430 · 1830 · 3268 · 1171 · 3090 · 2600 · 1760 · 834 · 3124 · 3070 · 2760 · 2200 · 2924 · 1600 · 2900 · 3650 · 2570

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